

18 de mayo de 2026

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Lcdo. Edison Avilés Deliz. P.E.  
Presidente  
Negociado de Energía de Puerto Rico  
San Juan, Puerto Rico

**Re: Comentarios de LUMA sobre el Reglamento para la Autorización, Supervisión y Regulación de la Participación Municipal en el Alumbrado Público Conectado al Sistema Eléctrico**

Estimado presidente Avilés - Deliz:

Reciba nuestro cordial saludo. LUMA Energy (en adelante "LUMA") somete sus comentarios y los cambios propuestos al borrador publicado junto con el Aviso de Propuesta de Reglamentación del Reglamento para la Autorización, Supervisión y Regulación de la Participación Municipal en el Alumbrado Público Conectado al Sistema Eléctrico ante la consideración del Negociado de Energía de Puerto Rico (en adelante el "NEPR").

Cabe señalar que, recientemente sometimos ante la consideración de la Comisión de Gobierno del Senado nuestro memorial y cambios propuestos al Proyecto de la Cámara Núm. 1207 que tiene como propósito, "...crear la "Ley para la Colaboración Municipal en la Instalación, Reparación, Mantenimiento y Modernización del Sistema de Alumbrado Público"; establecer la política pública en torno a la instalación, reparación, mantenimiento y modernización del alumbrado público; establecer el marco regulatorio para los Acuerdos de Colaboración entre los municipios y el operador del sistema eléctrico; establecer las responsabilidades y deberes de las entidades concernidas; y para otros fines relacionados".

De entrada, debemos indicar que, **LUMA apoya la medida, así como la aprobación del Reglamento**. Por lo que en ánimo de continuar colaborando con el Negociado de Energía de Puerto Rico ("NEPR") y activamente participando en el proceso reglamentario que están llevando a cabo, hemos respondido a varios requerimientos de información sobre la operación, requisitos técnicos, requerimientos federales y el progreso del Programa de Alumbrado Comunitario, incluyendo la entrega de borradores de acuerdos intergubernamentales ("IGA's", por sus siglas en inglés) y hoy, hacemos sometemos nuestros comentarios y recomendaciones al borrador del Reglamento mediante el documento que se aneja a esta comunicación.

Durante el pasado año, LUMA mantuvo conversaciones constructivas con la AEE, COR3, la Asociación y Federación de Alcaldes, a fin de auscultar posibles áreas de colaboración municipal compatibles con el marco técnico y contractual vigente. Entre las áreas en evaluación se encuentran tareas complementarias que no conllevan intervención con infraestructura energizada ni constituyen trabajos eléctricos especializados. No obstante, y en atención a la utilización de fondos federales para la ejecución de estos proyectos, resulta importante destacar



que existen mecanismos de participación municipal que permiten ampliar su rol de forma viable, ágil y alineada con los requisitos de elegibilidad aplicables.

En particular, los municipios pueden participar directamente en la ejecución de trabajos elegibles de reparación, reemplazo y mantenimiento de luminarias mediante el uso de su propia mano de obra y recursos operacionales (Force Account Labor), **siempre que dichos trabajos se realicen bajo la dirección, supervisión y control del operador del sistema eléctrico y conforme al alcance de trabajo aprobado en los Project Worksheets (PW) correspondientes que hayan sido obligados.**

Este enfoque permite adelantar los proyectos de forma costo-efectiva, maximizando el uso de recursos locales y reduciendo riesgos asociados a procesos de contratación que, en el contexto de fondos federales, requieren el cumplimiento estricto de los requisitos de adquisición aplicables.

En este contexto, resulta igualmente importante que cualquier esquema de participación municipal, independientemente del mecanismo utilizado, se mantenga integrado al marco de ejecución de proyectos previamente definidos, incluyendo su alineación con los alcances de trabajo aprobados y los controles operacionales del operador del sistema eléctrico, a los fines de asegurar uniformidad en la ejecución, rastreo de costos y cumplimiento con los requisitos aplicables.

Sin menoscabar la flexibilidad que pueda existir para que los municipios recurran a terceros en circunstancias particulares, es importante reconocer que **dichos esquemas conllevan estructuras adicionales de cumplimiento que podrían incidir tanto en la agilidad de ejecución como en la elegibilidad de los costos**, por lo que su utilización debe evaluarse con cautela y en coordinación con el operador del sistema eléctrico dentro de un marco de cumplimiento claramente definido.

#### I. Enmiendas propuestas al Borrador de Reglamento

Según indicáramos anteriormente, LUMA **apoya la aprobación** del Reglamento para la Autorización, Supervisión y Regulación de la Participación Municipal en el Alumbrado Público Conectado al Sistema Eléctrico. Sin embargo, hemos identificado algunas secciones que requieren ser **revisados y clarificados para permitir que los Acuerdos Municipales de Alumbrado Público (en adelante los “Acuerdos Municipales”) puedan ser ejecutados de manera efectiva y en cumplimiento con los estándares técnicos y de seguridad y las regulaciones estatales y federales aplicables**, particularmente aquellos relacionados al uso de fondos federales. A continuación, explicamos las enmiendas propuestas y la justificación para ello.

A partir de la Sección 1.3 del Reglamento consideramos indispensable aclarar que la colaboración de los municipios debe ser solamente para llevar a cabo reparaciones del alumbrado público, ya que el alcance de los proyectos financiados con fondos federales asignados por la Agencia Estatal de Manejo de Emergencias (“FEMA”, por sus siglas en inglés) no incluye mantenimiento de luminarias, sino reparaciones.

Al considerar la Sección 1.7 del Reglamento, entendemos que es necesario clarificar que el alumbrado público que se estará reparando mediante los Acuerdos Municipales son aquellos que forman parte de los activos de la Autoridad de Energía Eléctrica. Aquel alumbrado que no forma parte de los activos no estará cubierto bajo los proyectos financiados con fondos federales asignados para los proyectos sometidos ante FEMA por el Operador del Sistema Eléctrico. De igual forma, hacemos esta clarificación sobre los activos en el Capítulo III del Reglamento.

Incluimos además en las definiciones el término “Órdenes de Trabajo” y las definimos como las instrucciones formales emitidas por el Operador del Sistema Eléctrico para autorizar, asignar y detallar las labores específicas que deben ejecutar los municipios bajo un Acuerdo. Ello permitirá la asignación de trabajos de manera ordenada y coordinada dentro de un municipio.

En cuanto a la Sección 4.3 del Reglamento que establece el contenido mínimo de los acuerdos, proponemos varias clarificaciones.

Si bien estamos a favor de que los municipios colaboren con LUMA a realizar labores de instalación, reparación y modernización del sistema de alumbrado público a través de Acuerdos Municipales suscritos con nosotros con personal cualificado del municipio, en el caso de que se les permita que los municipios contraten o subcontraten labores con terceros para hacer los trabajos es importante considerar que esto inserta un elemento adicional. Por lo que, en este caso, será necesario que las compañías a ser contratadas o subcontratadas por los municipios sean técnicamente pre-cualificadas por LUMA para asegurar que la ejecución de los trabajos se realice conforme a los estándares técnicos y de seguridad y las regulaciones estatales y federales aplicables. En lo que concierne al cumplimiento con las regulaciones federales sobre el uso y la administración de fondos, hemos incluido lenguaje para requerir el cumplimiento con las disposiciones del Título 2 del Código de Regulaciones Federales Parte 200, Subcapítulo D, y los requisitos específicos aplicables de FEMA para el Programa de Asistencia Pública.

Asimismo, hemos propuesto una enmienda a la medida para disponer que, el Municipio será el único responsable de reembolsar y devolver los fondos que les sean pagados, así como cualquier interés, penalidad, ajuste, costo o reclamación relacionada a los trabajos ejecutados bajo los Acuerdos Municipales, en el caso de que el Municipio incumpla con los requisitos federales, estatales, reglamentarios, contractuales o de elegibilidad de FEMA.

En lo concerniente a las condiciones para aprobar los acuerdos, proponemos enmiendas a la Sección 4.5 del Reglamento para clarificar que el mecanismo mediante el cual se autorizarán las intervenciones de los municipios en la infraestructura deberá ser las órdenes de trabajo. Estas se emitirán una vez el Acuerdo entre el LUMA y el municipio sea aprobado por el NEPR. Sugerimos además establecer un término de treinta (30) días para la revisión y aprobación del NEPR de los acuerdos. De no expresarse una objeción dentro de dicho término, se entenderá por aprobado el Acuerdo.

Sugerimos además a través de los cambios propuestos a esta Sección del Reglamento que la autorización expresa para un municipio trabajar en un proyecto de alumbrado público sea a

través del mecanismo de órdenes de trabajo, de la misma forma que lo hacemos con nuestros contratistas.

Como mencionáramos con anterioridad al comentar la Sección 4.3 del Reglamento, en lo que concierne al cumplimiento con los requisitos de fondos federales, es indispensable enfatizar que, todos los procesos de adquisición y contratación de contratistas y subcontratistas para proyectos financiados con fondos federales deben cumplir con las disposiciones del Título 2 del Código de Regulaciones Federales, Parte 200, Subcapítulo D, y los requisitos específicos de FEMA aplicables para el Programa de Asistencia Pública.

De otra parte, sugerimos que la Sección 6.3 sea modificada para aclarar que, en lo que respecta al cumplimiento con los estándares de seguridad, los municipios tendrán que cumplir con los requisitos establecidos por OSHA mediante el Título 29 del Código Federal de Regulaciones Sección 1910.629. (29 C.F.R. 1910.269) que dispone sobre adiestramientos, equipos y procesos a seguir para trabajar en infraestructura eléctrica.

Finalmente, proponemos bajo la Sección 4.4 del Reglamento, que se requiera que los Acuerdos Municipales sean registrados ante la Oficina del Contralor de Puerto Rico y que quede a discreción del NEPR establecer un Registro de los Acuerdos de Colaboración autorizados por estos.

Se incluye como **Anejo**, un borrador del Reglamento para la Autorización, Supervisión y Regulación de la Participación Municipal en el Alumbrado Público Conectado al Sistema Eléctrico que incluye los cambios propuestos al borrador publicado por el NEPR junto con el Aviso Público.

## II. Conclusión

Como hemos expresado en ocasiones anteriores, LUMA ha estado en conversaciones con los municipios buscando los mecanismos apropiados para que éstos puedan colaborar con la ejecución de aquellos proyectos de luminarias que estén a su alcance, por lo que **LUMA apoya la aprobación del Reglamento con los cambios sugeridos**. De parte de todo el equipo de LUMA, agradecemos a este Honorable Negociado la oportunidad de exponer nuestros comentarios con relación a este Reglamento, y nos reiteramos a su disposición para lograr el cumplimiento con la política pública esbozada en el mismo.

Cordialmente,



[Michael Juarbe \(May 18, 2026 21:26:50 EDT\)](#)

**Michael Juarbe Laffitte**

Vicepresidente, Asuntos de Gobierno y Política Pública








# 26.05.18\_LUMA's Review to Draft Regulation-Public-Street-Lighting

Final Audit Report

2026-05-19

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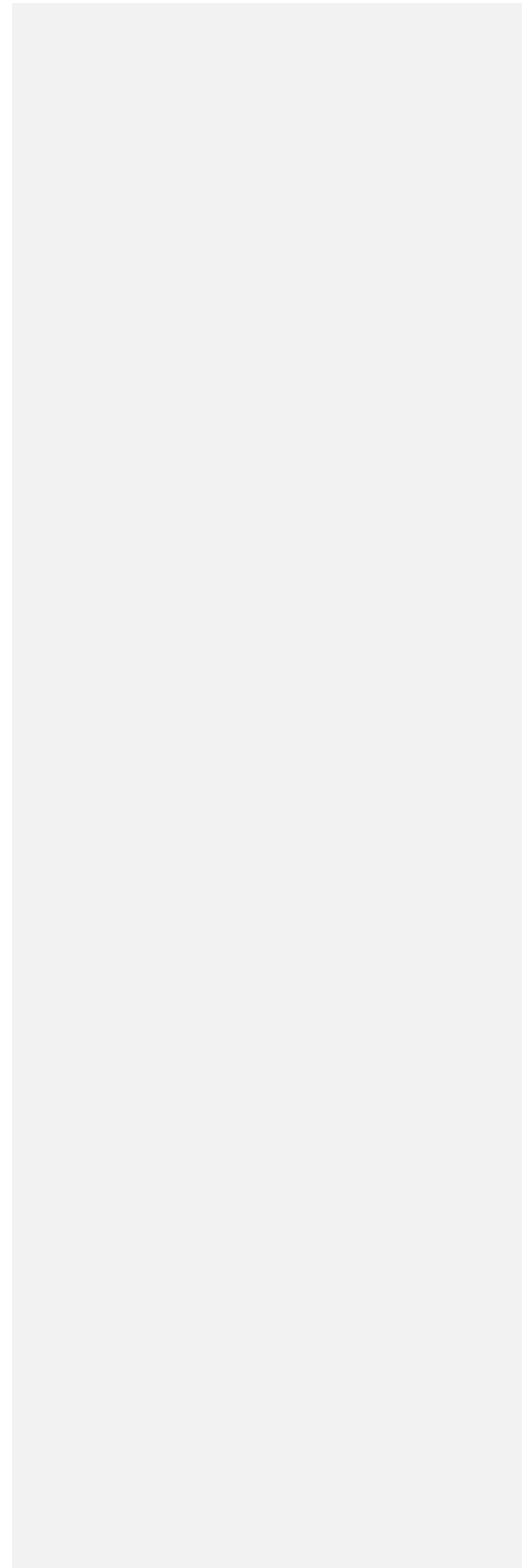
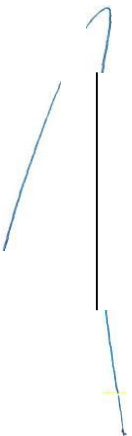
## "26.05.18\_LUMA's Review to Draft Regulation-Public-Street-Lighting" History

-  Document created by Rebeca Maldonado (rebeca.maldonadomora@lumapr.com)  
2026-05-19 - 1:25:06 AM GMT
-  Document emailed to Michael Juarbe (Michael.Juarbe@Lumapr.com) for signature  
2026-05-19 - 1:25:10 AM GMT
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2026-05-19 - 1:26:29 AM GMT
-  Document e-signed by Michael Juarbe (Michael.Juarbe@Lumapr.com)  
Signature Date: 2026-05-19 - 1:26:50 AM GMT - Time Source: server - Signature Appearance Selected: MOBILE\_DRAW
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JUNTA REGLAMENTADORA DE  
**SERVICIO  
PÚBLICO**  
NEGOCIADO DE ENERGÍA  
GOBIERNO DE PUERTO RICO

REGULATION FOR THE AUTHORIZATION; OVERSIGHT, AND  
REGULATION OF MUNICIPAL PARTICIPATION IN PUBLIC STREET  
LIGHTING CONNECTED *to* THE ELECTRIC GRID



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## CHAPTER I-INTRODUCTORY PROVISIONS

### Section 1.1 - Title

This regulatory document shall be known as the "Regulation for the Authorization, Oversight, and Regulation of Municipal Participation in Public Street Lighting Connected to the Electric Grid".

### Section 1.2 - Legal Authority

This Regulation is promulgated pursuant to the authority granted under Act No. 57-2014, as amended, known as the *Puerto Rico Energy Transformation and RELIEF Act*; Act No. 120-2018, as amended, known as the *Puerto Rico Electric System Transformation Act*; and Act No. 38-2017, as amended, known as the *Uniform Administrative Procedure Act of the Government of Puerto Rico*.

Additionally, this Regulation is adopted in accordance with the provisions of the [Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement](#), executed by and among the Puerto Rico Electric Power Authority, the Puerto Rico Public-Private Partnerships Authority, and LUMA Energy, LLC, or any other entity that may execute an agreement of a similar nature in the future, pursuant to which the ~~system operator~~System Operator is entrusted with the operation and maintenance of Puerto Rico's electric transmission and distribution grid. This Regulation is further adopted taking into consideration the technical manuals and operational standards governing the design, installation, maintenance, and operation of the electric transmission and distribution grid.

### Section 1.3 - Purpose and Executive Summary

It is the public policy of the Puerto Rico Energy Bureau to promote the reliability, resilience, safety, and efficient operation of Puerto Rico's electric grid, while recognizing the importance of public street lighting as an essential component of public safety, urban mobility, and quality of life, in furtherance of the Government of Puerto Rico's energy policy.

To that end, the Energy Bureau recognizes that municipalities may play a collaborative role in the repair, ~~maintenance~~ and modernization of public street lighting systems within their respective jurisdictions. However, such participation must be carried out in a manner consistent with the safe and reliable operation of the electric grid, while

**Commented [A1]:** FEMA funds are provided only for repairs, not for maintenance.

preserving the operational responsibilities delegated to the ~~system-operator~~System Operator and the regulatory jurisdiction of the Energy Bureau.

Accordingly, any municipal intervention involving public street lighting systems connected to the electric grid must be conducted in compliance with applicable technical standards, operational manuals governing the transmission and distribution grid, and the provisions of this Regulation.

Therefore, the purpose of this Regulation is to establish a uniform regulatory framework governing the execution, authorization, oversight, and supervision of collaboration agreements between municipalities and the ~~system-operator~~System Operator related to the repair, ~~maintenance~~, installation, or modernization of public street lighting systems connected to the electric grid. This Regulation further seeks to:

1. Ensure that any municipal intervention in public street lighting systems connected to the electric grid is conducted in a manner consistent with the safety, reliability, and operational integrity of Puerto Rico's electric grid.
2. Establish uniform criteria defining the permissible scope of municipal interventions in street lighting infrastructure and the mechanism that will be used by the System Operator to assign work to municipalities.
3. Ensure compliance with the technical and safety standards applicable to work on the electric transmission and distribution ~~grid~~system.
4. Establish effective coordination mechanisms between municipalities, the ~~system operator~~System Operator, and the Energy Bureau.
5. Establish requirements for oversight, certification, insurance, liability, compliance with federal and state funding regulations, and safety applicable to municipal interventions in public street lighting infrastructure.

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#### Section 1.4 -Cost-Benefit Analysis

The Puerto Rico Energy Bureau certifies that the adoption and implementation of this Regulation ~~deesdo~~ not create significant additional expenditures nor impose an adverse fiscal impact on the Energy Bureau, the Government of Puerto Rico, or the general public.

This certification is based on the fact that this Regulation does not establish new public spending programs nor impose additional direct financial obligations on the Government. Instead, it provides a uniform regulatory framework for the authorization, oversight, and supervision of agreements between municipalities and the ~~system operator~~System Operator in connection with public street lighting activities.

Furthermore, this Regulation promotes the more efficient use of existing resources by enabling municipalities to participate in a structured and regulated manner in the repair, ~~maintenance~~, and installation of public street lighting systems, which may contribute to expediting repairs and reducing operational delays without compromising the safety or reliability of the electric grid.

From a cost-benefit perspective, the Energy Bureau determines that the adoption of this Regulation provides substantial benefits, including:

1. The implementation of clear and uniform criteria governing municipal participation in activities related to public street lighting connected to the electric grid.
2. The reduction of operational risks through the mandatory application of technical standards and safety procedures.
3. Strengthened coordination among municipalities, the ~~system operator~~System Operator, and the Energy Bureau.
4. Protection of the integrity, reliability, and resilience of the electric grid as critical infrastructure.
5. Increased efficiency in the execution of public street lighting work, particularly in emergency situations or during periods of high demand for repairs.

Additionally, this Regulation establishes a regulatory framework that enables municipal participation without altering the operational responsibilities of the ~~system operator~~System Operator under of the Transmission and Distribution System Operation and Maintenance Agreement, thereby avoiding contractual conflicts and compliance risks.

The Energy Bureau further recognizes that the adoption of this Regulation supports compliance with applicable federal requirements, including those governing the use and reimbursement of federal funds allocated for the repair and modernization of electric infrastructure.

Accordingly, the Energy Bureau concludes that the regulatory, operational, and safety benefits derived from this Regulation significantly outweigh any administrative costs associated with its implementation, while enhancing transparency, uniformity, and

efficiency in the management of public street lighting connected to the electric grid, without requiring significant additional public expenditures ————1

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### Section 1.5 - Scope

This Regulation governs the execution, content, authorization, and oversight of collaboration agreements between municipalities and the ~~system-operator~~System Operator relating to the repair, ~~maintenance~~, installation, or modernization of public street lighting systems connected to the electric Transmission and Distribution gridSystem. Specifically, this Regulation establishes:

1. The regulatory principles governing municipal participation in activities involving public street lighting systems connected to the electric grid.
2. The criteria and procedures applicable to the authorization of agreements between municipalities and the ~~system-operator~~System Operator.
3. The classification of municipal interventions involving public street lighting systems.
4. The technical, operational, s a f e t y, and safety-federal and state funding requirements applicable to such interventions.
5. The oversight and enforcement mechanisms applicable to agreements and activities conducted pursuant to this Regulation.

This Regulation does not replace or modify the technical standards, operational manuals, or engineering specifications applicable to the electric Transmission and Distribution gridSystem, which shall remain in effect in accordance with applicable laws and regulations.

### Section 1.6-Applicability

The provisions of this Regulation shall apply to:

1. All collaboration agreements between municipalities and the ~~System Operator system operator~~System Operator—relating to the repair, ~~maintenance~~, installation, or modernization of public street lighting systems connected to the electric grid.
2. Any municipal intervention involving luminaires, street lighting poles, or other components of public street lighting systems connected to the electric Transmission or Distribution gridSystem.
3. Any natural or juridical person performing work related to public street lighting systems pursuant to an agreement authorized under this Regulation.

This Regulation shall not apply to public street lighting systems that are entirely independent from the electric Transmission and Distribution gridSystem, including autonomous lighting systems that are not interconnected to the electric grid. It will also not apply to public lighting that is not part of the assets of the Puerto Rico Electric Power Authority.

### Section 1.7 - Definitions

For purposes of this Regulation, the following terms shall have the meanings set forth below, unless the context clearly indicates otherwise.

1. **Energy Bureau** - The Puerto Rico Energy Bureau.
2. **Federal funds** - Any funds, grants, assistance, or financing programs provided by the Government of the United States, including, but not limited to, those administered by the Federal Emergency Management Agency ("FEMA") or other applicable federal agencies, for the repair, reconstruction, or modernization of infrastructure.
3. **Municipal intervention** - Any work performed by a municipality or by contractors authorized by a municipality involving the repair, ~~interchanging, maintenance,~~ installation, or modernization of public street lighting ~~systems connected to the electric grid.~~
4. **Municipal street lighting agreement** - An agreement executed between a municipality and the ~~system operator~~ System Operator authorizing the municipality to participate in specific activities related to the ~~maintenance,~~ repair, installation, or modernization of public street lighting systems.
5. **Participating municipality** - A municipality that has entered into an agreement authorized under this Regulation to participate in activities related to public street lighting systems.
6. **Public street lighting** - A lighting system installed on public roads, highways, streets, avenues, plazas, or other public spaces for the purpose of providing illumination for public safety, vehicular traffic, or pedestrian use that are part of the assets of the Puerto Rico Electric Power Authority.
7. ~~System operator~~ System Operator - The entity responsible for the operation and maintenance of Puerto Rico's electric transmission and distribution ~~grid~~ system pursuant to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement.
8. **Technical standards** - The set of engineering standards, specifications, manuals, operational procedures, and safety requirements applicable to the design, construction, maintenance, and operation of the electric transmission and distribution ~~grid~~ system.
9. ~~Transmission and Distribution System~~ System - The set of facilities, equipment, conductors, transformers, poles, structures, and related infrastructure used for the transmission and ~~distribution of electric energy in Puerto Rico.~~
11. Work Orders - means the formal instructions issued by the Electric System Operator to authorize, assign, and detail the specific tasks that the Municipalities must perform under a Municipal Street lighting agreement. Each Work Order will establish the scope, type of activity, location, operational and safety requirements, and the necessary coordination to carry out interventions in Public Lighting under a Municipal Street lighting agreement.

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10. **Electric grid** - The system of infrastructure used for the generation, transmission, and distribution of electric energy in Puerto Rico, including the ~~transmission and distribution system~~ Transmission and Distribution System when referring to infrastructure regulated under this Regulation.

## CHAPTER II - REGULATORY AUTHORITY AND INSTITUTIONAL COORDINATION

### Section 2.1 - Jurisdiction of the Energy Bureau

The Puerto Rico Energy Bureau holds primary and exclusive jurisdiction over Puerto Rico's electric grid, including its transmission and distribution components, pursuant to the provisions of Act No. 57-2014, *supra*.

Under such authority, the Energy Bureau has the power to adopt regulations, issue orders, and establish regulatory criteria necessary to ensure the safety, reliability, resilience, and efficient operation of Puerto Rico's electric grid.

Accordingly, any agreement, program, or mechanism that allows municipal participation in activities involving public street lighting systems connected to the electric transmission and distribution grid shall be subject to the supervision, oversight, and decision-making authority of the Energy Bureau, which shall ensure that such municipal participation does not result in the technical, operational, or regulatory fragmentation of the electric grid, thereby guaranteeing the uniform application of standards throughout Puerto Rico.

### Section 2.2 - Role of the System Operator

The operation and maintenance of Puerto Rico's electric transmission and distribution grid is carried out pursuant to the provisions of the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement, under which the ~~system operator~~ System Operator is entrusted with the responsibility to manage, operate, maintain, repair, restore, and modernize the ~~transmission and distribution system~~ Transmission and Distribution System.

Under such agreement, the ~~system operator~~ System Operator is responsible for:

1. The safe and reliable operation of the electric grid.
2. The maintenance and repair of transmission and distribution infrastructure.

3. The development of technical manuals, engineering standards, and operational procedures applicable to the electric grid.
4. The coordination of work involving infrastructure connected to the electric grid.

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Nothing in this Regulation shall be interpreted as modifying or altering the operational responsibilities assigned to the ~~system operator~~ System Operator under the aforementioned agreement.

### Section 2.3 - Relationship with the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement

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The provisions of this Regulation shall be interpreted and applied in a manner consistent with the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement and with the operational responsibilities assigned to the ~~system operator~~ System Operator, under such agreement.

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In particular, this Regulation shall not be interpreted as a delegation of the Energy Bureau's regulatory authority or as an alteration of the contractual obligations established under the aforementioned agreement.

Agreements between municipalities and the ~~system operator~~ System Operator, executed pursuant to this Regulation shall be structured in such a manner that they:

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1. Do not alter the contractual allocation of responsibilities established under the operation and maintenance agreement.
2. Do not compromise the integrity, reliability, or safety of the electric grid.
3. Are consistent with the policies, technical manuals, and operational procedures applicable to the ~~transmission and distribution system~~ Transmission and Distribution System.

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### Section 2.4 - Coordination Between Municipalities and the System Operator

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Municipalities participating in activities involving public street lighting systems connected to the electric grid shall coordinate such activities with the ~~system operator~~ System Operator, in accordance with the procedures established in this Regulation. Such coordination shall include, among other matters:

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1. The planning and scheduling of work related to luminaires and other components of public street lighting systems.
2. The authorization of interventions involving infrastructure connected to the electric grid.

3. The coordination of work that may require temporary service interruptions or intervention in distribution circuits.
4. Compliance with applicable technical and safety standards.

The ~~system-operator~~System Operator shall establish the operational coordination mechanisms necessary to ensure that authorized municipal interventions are carried out in a manner consistent with the safe operation of the electric grid.

### **Section 2.5 - Principle of Non-Delegation of Regulatory Authority**

Municipal participation in activities involving public street lighting systems connected to the electric grid shall not, under any circumstance, constitute a delegation of regulatory authority or a limitation of the Energy Bureau's jurisdiction. The Energy Bureau shall at all times retain the authority to:

1. Oversee agreements executed pursuant to this Regulation.
2. Evaluate compliance with applicable regulatory provisions
3. Impose conditions, require modifications, or revoke authorizations when necessary to protect the safety, reliability, or integrity of the electric grid.

### **Section 2.6 - Compliance with Technical Standards**

Any municipal intervention carried out pursuant to this Regulation shall comply with the technical manuals, engineering standards, and operational procedures adopted by the ~~system-operator~~System Operator for the design, construction, maintenance, and operation of the electric transmission and distribution system.

Compliance with such standards shall be mandatory for any natural or juridical person performing work involving public street lighting systems connected to the electric transmission and distribution grid.

The Energy Bureau may incorporate such technical manuals and operational standards by reference for purposes of this Regulation.

## CHAPTER III CLASSIFICATION OF PUBLIC STREET LIGHTING SYSTEMS

### Section 3.1 -General Classification of Public Street Lighting Systems

For purposes of this Regulation, public street lighting systems shall be classified into the following categories:

1. Public street lighting systems integrated into the electric ~~transmission and distribution system~~ Transmission and Distribution System which are part of the Puerto Rico Electric Power Authority's assets.
2. Special public street lighting systems not transferred to the electric grid.
3. Autonomous or stand-alone public street lighting systems.
4. Smart public street lighting systems.

The classification of a public street lighting system shall determine the applicable regulatory framework, the permissible scope of municipal intervention, and the applicable technical requirements.

### Section 3.2 - Public Street Lighting Systems Integrated into the Electric Grid

Public street lighting systems shall be considered integrated into the electric grid when such systems:

1. Are connected to Puerto Rico's electric transmission or distribution system.
2. Form part of Puerto Rico Electric Power Authority's assets ~~the electric infrastructure~~ operated ~~or and~~ maintained by the ~~system operator~~ System Operator.
3. Are supplied by distribution circuits forming part of the electric grid.

Such systems constitute electric grid infrastructure connected to the transmission and distribution system. Accordingly, any intervention involving these systems shall be carried out in compliance with the technical standards, operational manuals, and procedures established by the ~~system operator~~ System Operator, as well as the provisions of this Regulation.

### Section 3.3 -Special Public Street Lighting Systems

Special public street lighting systems shall refer to lighting systems installed in public or private areas that:

**Commented [A3]:** The Streetlights Program financed with FEMA funds only includes those streetlights that were damaged during hurricane Maria and are part of PREPA's assets.

1. Do not form part of the infrastructure of the electric ~~transmission and distribution system~~ Transmission and Distribution System.
2. Have not been transferred to ~~the system operator for operation and maintenance~~ be part of the assets of the Puerto Rico Electric Power Authority.
3. Utilize luminaires, poles, or other equipment that are not part of the inventory or technical specifications of the electric grid.

Such systems may be owned by municipalities, governmental entities, private developers, or other natural or juridical persons. The operation, maintenance, and replacement of the components of such systems shall be the responsibility of their owner.

#### **Section 3.4 -Autonomous Public Street Lighting Systems**

Autonomous public street lighting systems shall refer to lighting systems that operate independently from the electric grid, including systems that:

1. Utilize stand-alone renewable energy sources, such as individual solar lighting units.
2. Are not interconnected to the electric transmission or distribution system.
3. Operate through local energy storage systems or other independent energy technologies.

Such systems shall not be considered part of the electric ~~transmission and distribution system~~ Transmission and Distribution System infrastructure unless they are subsequently interconnected to the electric grid, in which case the lighting owner must make the corresponding adjustments or modifications to the lighting so that it complies with applicable standards and can be connected to the electrical grid.

#### **Section 3.5 -Smart Public Street Lighting Systems**

Smart public street lighting systems shall refer to lighting systems that incorporate control, monitoring, or remote management technologies through communication systems, sensors, or other information technologies. Such systems may include, among others:

1. Remote control systems for luminaires.
2. Energy consumption monitoring systems.
3. Fault detection or predictive maintenance technologies.
4. Integration with telecommunications networks or other smart city technologies.

When such systems are connected to the electric transmission or distribution system, they shall comply with the applicable technical, operational, and safety standards established by the system operator System Operator governing the ~~electric grid~~ Transmission and Distribution System.



### Section 3.6 -Determination of System Classification

In the event of uncertainty regarding the classification of a public street lighting system, the ~~system operator~~System Operator shall make an initial technical determination based on the system's interconnection characteristics, ownership, operational control, and maintenance responsibilities.

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Such determination shall be subject to review by the Energy Bureau when necessary to ensure compliance with this Regulation and with the regulatory framework governing the electric grid.

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## CHAPTER IV-AGREEMENTS BETWEEN MUNICIPALITIES AND THE SYSTEM OPERATOR

### Section 4.1 - Nature of Municipal Street Lighting Agreements

Agreements executed between municipalities and the ~~system operator~~System Operator relating to the repair, maintenance, installation, or modernization of public street lighting systems connected to the electric grid shall be considered operational collaboration agreements subject to the oversight of the Energy Bureau.

Such agreements are intended to enable municipal participation in specific activities involving public street lighting systems, provided that such activities are carried out in a manner consistent with the safe and reliable operation of the electric grid.

Nothing in such agreements shall be interpreted as a delegation of regulatory authority by the Energy Bureau or as a transfer of the operational responsibilities assigned to the ~~system operator~~System Operator pursuant to applicable laws and existing contractual arrangements.

### Section 4.2 -Authorization of Municipal Agreements

Any agreement executed between a municipality and the ~~system operator~~System Operator for activities involving public street lighting systems connected to the electric grid shall be submitted to the Energy Bureau for evaluation and authorization in accordance with the provisions of this Regulation. The Energy Bureau shall evaluate such agreements to determine whether they:

1. Are consistent with applicable legal and regulatory provisions governing the electric ~~transmission and distribution system~~Transmission and Distribution System.

2. Are consistent with the operational responsibilities assigned to the ~~system operator~~System Operator under existing contractual obligations, including the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement, in order to avoid contractual conflicts or risks of non-compliance.
3. Comply with applicable technical and safety standards governing the electric grid.
4. Clearly establish the allocation of operational, technical, and financial responsibilities between the parties.

The Energy Bureau may approve, deny, or condition the authorization of such agreements as it deems necessary to protect the safety, reliability, and integrity of the electric grid.

#### Section 4.3 - Minimum Content of Agreements

Any municipal agreement executed pursuant to this Regulation shall include, at a minimum, the following provisions:

1. Identification of the parties to the agreement.
2. Description of the scope of work that the municipality is authorized to perform.
3. Classification of permitted activities in accordance with this Regulation.
4. Operational coordination procedures with the ~~system-operator~~System Operator.
5. Technical requirements and pre-qualification process applicable to the authorized activities.
6. Certification and qualification requirements for personnel performing the work.
7. Inspection, supervision, and quality control procedures.
8. Insurance requirements and provisions governing liability and indemnification.
9. Incident notification and reporting protocols.
10. Contents of Work Orders and how to Access access to relevant public street lighting system information necessary for the planning and execution of authorized work.
11. Duration of the agreement and conditions for its modification or termination.
- 11.12. Compliance with applicable state and federal regulations, particularly those related to the use of federal funds, procurement and contracting processes for contractors and subcontractors for federally funded projects which must comply with the provisions of Title 2 of the Code of Federal Regulations, Part 200, Subchapter D, and applicable FEMA-specific requirements for the Public Assistance Program.

The Energy Bureau may require the inclusion of additional provisions as necessary to ensure compliance with this Regulation and with the regulatory framework governing the electric grid.

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#### Section 4.4 - Registry of Agreements

The agreements must be registered at the Comptroller's Office.

The Energy Bureau ~~shall~~may also maintain a registry of agreements authorized pursuant to this Regulation. Such registry ~~shall~~can include, among other information:

1. The participating municipality.
2. The date of execution of the agreement.
3. The duration of the agreement.
4. The scope of authorized work.
5. The status of the agreement.

The registry may be used by the Energy Bureau for purposes of regulatory oversight, compliance monitoring, and electric grid planning.

#### Section 4.5 - Conditions of Authorization

The Energy Bureau shall review and approve municipal agreements within a term of thirty (30) days. If the Energy Bureau does not expressly condition or reject the municipal agreement within said term, the agreement shall be deemed to be automatically approved.

The authorization of municipal agreements shall be subject to ongoing compliance with the provisions of this Regulation and with the technical and operational standards applicable to the electric grid, as well as the federal and state funds acts and regulations.

The Energy Bureau may impose specific conditions on any authorized agreement when necessary to protect the safety, reliability, or integrity of the electric grid.

Following the approval by the Energy Bureau of a municipal agreement, the System Operator shall authorize municipal interventions in infrastructure connected to the electric system through Work Orders, except when there is reasonable justification that prevents the issuance of such Work Orders.

**Commented [A4]:** LUMA proposes a defined term for PREB's review and approval. If the PREB doesn't indicate an objection, the agreement would be deemed to be approved.

#### Section 4.6 - Modification or Termination of Agreements

Any material modification to an agreement authorized under this Regulation shall be submitted to the Energy Bureau for prior evaluation and approval.

The Energy Bureau may require the modification, suspension, or termination of an agreement if it determines that the agreement:

1. Is incompatible with the safe and reliable operation of the electric grid.
2. Fails to comply with the provisions of this Regulation.
3. Creates operational or safety risks for the electric grid.

Termination of an agreement shall not relieve the parties of their obligations under applicable legal, contractual, or regulatory requirements.

**Commented [A5]:** LUMA proposes to authorize municipalities to execute work through work orders, as we currently do with our contractors.

#### Section 4.7-Compliance with Federal Funding Requirements

Where municipal interventions involving public street lighting systems are funded, in whole or in part, with federal funds, including, but not limited to, funds provided by the Federal Emergency Management Agency (FEMA) or other applicable federal programs, agreements authorized under this Regulation shall strictly comply with all applicable federal requirements related to eligibility, documentation, procurement, technical standards, safety requirements, and any other applicable federal regulations. All procurement and contracting processes for contractors and subcontractors for federally funded projects must comply with the provisions of Title 2 of the Code of Federal Regulations, Part 200, Subchapter D, and applicable FEMA-specific requirements for the Public Assistance Program.

Municipalities and the ~~system operator~~ System Operator shall be responsible for ensuring that all activities conducted under such agreements are structured and implemented in a manner consistent with applicable federal requirements, so as not to compromise the eligibility of costs for reimbursement or the recovery of federal funds.

The Energy Bureau may require evidence of compliance with such federal requirements as a condition for the authorization, continuation, or renewal of municipal agreements, as well as for the approval of specific interventions.

Failure to comply with applicable federal requirements may constitute grounds for the suspension, modification, or revocation of authorization granted under this Regulation, without prejudice to any other regulatory or legal actions that may apply.

Work performed by municipalities under the Municipal Street lighting agreement, whether through their employees or through their contractors or subcontractors, that fails to comply with federal, state, regulatory, contractual, or FEMA eligibility requirements, and that consequently results in a determination of ineligibility, ~~de-obligation~~, discharge, repossession, ~~recoup~~, return, or total or partial loss of federal funds, shall be the sole responsibility of the Municipality.

The Municipality shall reimburse and return such funds to the Electric System Operator, including any related interest, penalties, adjustments, costs, or claims. Furthermore, the Municipality releases and holds harmless the System Operator from any and all associated liability or claims.

### CHAPTER V - CLASSIFICATION AND SCOPE OF MUNICIPAL INTERVENTIONS IN PUBLIC STREET LIGHTING SYSTEMS

#### Section 5.1 -General Principles of Municipal Intervention

Municipal participation in activities involving public street lighting systems connected to the electric grid shall be governed by the principles of electrical safety, grid reliability, operational coordination, and compliance with applicable technical standards.

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**Section 4.4 Registry of Agreements** All municipal interventions shall be conducted in a manner consistent with the safe and reliable operation of the electric ~~transmission and distribution system~~Transmission and Distribution System.

Accordingly, municipal interventions involving public street lighting systems shall be classified based on their nature, technical complexity, and potential impact on electric grid infrastructure.



## Section 5.2 -Classification of Municipal Interventions

For purposes of this Regulation, municipal interventions involving public street lighting systems connected to the electric grid shall be classified into the following categories:

1. Level I: Basic Maintenance Activities.
2. Level II: Supervised Technical Interventions.
3. Level III: Electric Grid Construction or Modification Activities.

The classification of an intervention shall determine the applicable authorization requirements, supervision mechanisms, personnel certification requirements, and technical compliance obligations.

### Section 5.3 -Level I Interventions: Basic Maintenance Activities

Level I interventions shall include basic maintenance activities that do not involve modifications to electric grid infrastructure and do not require work on energized conductors or critical components of the electric distribution system.

Examples of Level I activities may include, among others:

1. Replacement of existing luminaires with equivalent approved luminaires.
2. Replacement of photocells or lighting control devices.
3. Cleaning or routine maintenance of luminaires.
4. Minor repairs to luminaire arms or mounting hardware.
5. Preventive or cosmetic maintenance of street lighting poles.

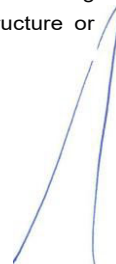
Level I interventions may be performed by municipalities pursuant to agreements authorized under this Regulation, provided that applicable technical and safety standards are followed.

### Section 5.4 -Level II Interventions: Supervised Technical Intervention

Level II interventions shall include activities that, although not constituting substantial modifications to the electric grid, may affect electric grid infrastructure or require technical coordination with the ~~system operator~~ System Operator.

Examples of Level II activities may include, among others:

1. Installation of new luminaires on existing distribution poles.
2. Replacement of street lighting poles connected to the electric grid.



3. Replacement or repair of conductors associated with street lighting systems.
4. Installation of lighting control devices or street lighting management systems.
5. Connection of luminaires to existing distribution circuits.

Level II interventions shall require prior coordination and authorization from the ~~system-operator~~ System Operator and must comply with applicable technical standards and operational procedures.

### **Section 5.5-Level III Interventions: Electric Grid Construction or Modification Activities**

Level III interventions shall include activities involving substantial modifications to electric grid infrastructure within the transmission or distribution system.

Examples of Level III activities may include, among others:

1. Installation or modification of electric distribution circuits.
2. Installation of transformers or other electrical equipment associated with the distribution system.
3. Modifications to primary feeders or distribution circuits.
4. Installation of protective devices or sectionalizing equipment.
5. Any activity that may directly affect the operation of the electric grid.

Level III interventions shall not be performed directly by municipalities and shall be carried out exclusively by the ~~system-operator~~ System Operator or by authorized contractors in accordance with applicable procedures governing electric grid operations.

### **Section 5.6 - Prohibited Activities**

Municipal interventions shall not include any activity involving:

1. Work performed without a valid Work Order issued by the System Operator.
- 1-2. Work on energized conductors within the electric grid.
- 2-3. Interventions within electrical substations.
- 3-4. Modifications to protection systems of the electric distribution system.
- 4-5. Any activity that may compromise the safety, reliability, or operational stability of the electric grid.

The ~~system-operator~~ System Operator may identify additional activities that, due to their technical nature or associated risks, shall be considered prohibited for municipal intervention.

### Section 5.7 - Emergency Interventions

In emergency situations affecting public safety or the operation of public street lighting systems, municipalities may perform temporary actions necessary to mitigate immediate risks. In such cases, the municipality shall notify the ~~system operator~~System Operator as soon as reasonably practicable and coordinate any subsequent actions required to restore the system in accordance with applicable technical standards.

Any emergency intervention conducted under this section shall be subject to subsequent review by the ~~system operator~~System Operator and the Energy Bureau.

## CHAPTER VI - TECHNICAL REQUIREMENTS AND APPLICABLE STANDARDS

### Section 6.1 - Compliance with Electric Grid Technical Standards

Any municipal intervention conducted pursuant to this Regulation shall comply with the applicable technical standards, engineering manuals, design specifications, and operational procedures ~~established by the system operator~~System Operator governing the electric ~~transmission and distribution system~~Transmission and Distribution System.

Such standards are intended to ensure that any intervention involving public street lighting systems connected to the electric grid is carried out in a manner consistent with the safety, reliability, resilience, and efficient operation of the electric grid.

### Section 6.2 - Incorporation by Reference of Technical Manuals

For purposes of this Regulation, the technical manuals and operational standards adopted by the ~~system operator~~System Operator governing the design, construction, installation, maintenance, and operation of the electric ~~transmission and distribution system~~Transmission and Distribution System are hereby incorporated by reference.

Such technical documents include, among others:

1. *Street Lighting System Design and Construction Manual.*
2. *Underground Electrical Distribution System Manual.*
3. *Overhead Electrical Distribution System Manual.*
4. *Transmission Line Structures Standard Configuration and Bill of Materials.*
5. Any other engineering manuals, technical bulletins, or operational standards adopted by the ~~system operator~~System Operator governing electric grid infrastructure.

Municipal interventions authorized pursuant to this Regulation shall comply with the technical requirements established in such manuals.

### Section 6.3-Compliance with Electrical Codes and Safety Standards

Any municipal intervention involving public street lighting systems connected to the electric grid shall comply with applicable electrical codes and safety standards, including, but not limited to:

1. The National Electrical Code (NEC).
2. The National Electrical Safety Code (NESC).
3. Applicable standards issued by the Institute of Electrical and Electronics Engineers (IEEE).
4. Applicable standards issued by the American National Standards Institute (ANSI).
5. Occupational safety standards applicable under the Occupational Safety and Health Administration (OSHA), specifically those established under 29 CFR 1910.269.
6. Any other applicable technical standards, codes, or regulations in force, including those adopted after the promulgation of this Regulation.

In the event of a conflict between applicable standards, the more stringent requirement from a safety standpoint shall prevail.

### Section 6.4 -Compliance with Operational Procedures

Municipal interventions shall be carried out in accordance with the operational procedures established by the ~~system operator~~ System Operator for work involving infrastructure connected to the electric grid. Such procedures may include, among others:

1. Coordination protocols with grid control centers.
2. Work authorization procedures.
3. Safety procedures for work performed near energized conductors.
4. Inspection and certification procedures for completed work.

### Section 6.5 - Technical Certification of Work

All work conducted pursuant to this Regulation shall be performed by properly qualified and certified personnel in accordance with the requirements established by the ~~system operator~~ System Operator and the provisions of this Regulation.

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Where required by the ~~system operator~~System Operator or the Energy Bureau, completed work shall be subject to technical inspection by the operator to verify compliance with applicable technical standards.

#### **Section 6.6-Review and Update of Technical Standards**

The technical manuals and standards incorporated by reference under this Regulation may be revised, updated, or replaced by the ~~system operator~~System Operator in accordance with applicable procedures.

Any such revisions shall apply to municipal interventions conducted under this Regulation as of the date such revisions become effective.

~~The Energy Bureau may require the review or modification of such standards when necessary to protect the safety, reliability, or operational integrity of the electric grid.~~

## **CHAPTER VII - PERSONNEL CERTIFICATION AND TRAINING REQUIREMENTS**

#### **Section 7.1 -Personnel Qualifications**

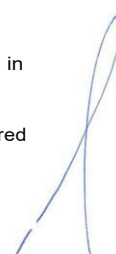
Any municipal intervention authorized pursuant to this Regulation shall be performed by personnel possessing the necessary technical qualifications, professional certifications, and training required to perform work involving public street lighting systems connected to the electric grid as established by the operator.

Municipalities shall ensure that all personnel performing work under this Regulation hold the licenses, certifications, or professional credentials required under applicable laws and regulations.

#### **Section 7.2-Authorized Personnel**

Work involving public street lighting systems connected to the electric grid may be performed by:

1. Municipal employees who meet the qualification and training requirements established in this Regulation.
2. Contractors or subcontractors duly authorized by the municipality and qualified in accordance with applicable technical and safety standards.
3. Personnel authorized by the ~~system operator~~System Operator, where required by applicable operational procedures.



The municipality shall be responsible for ensuring that any contractor or subcontractor engaged to perform work related to public street lighting systems complies with all applicable technical and safety requirements.

### Section 7.3 - Professional Licensing Requirements

Where the nature of the work requires it, municipal interventions shall be performed or supervised by professionals licensed in accordance with applicable law, including, among others:

1. Licensed engineers.
2. Licensed electricians.
3. Certified technicians meeting the applicable standards governing electric grid infrastructure.

The Energy Bureau may establish additional professional certification requirements when necessary to protect the safety or reliability of the electric grid.

### Section 7.4-Technical Training

Personnel performing work involving public street lighting systems connected to the electric grid shall complete the technical training programs and have the experience required by the ~~system-operator~~System Operator or by the Energy Bureau in compliance with the requirements established under 29 CFR 1910.269:

1. Electrical safety procedures.
2. Standards applicable to the electric ~~transmission and distribution system~~Transmission and Distribution System.
3. Procedures for working near energized conductors.
4. Proper use of specialized equipment and tools required for electrical work.
5. Operational coordination procedures with the ~~system-operator~~System Operator.

### Section 7.5 -Occupational Safety Training

Personnel participating in work involving public street lighting systems shall comply with applicable federal occupational safety training requirements, including those established under 29 CFR 1910.269. Such training shall include, among other matters:

1. Identification and management of electrical hazards.
2. Proper use of personal protective equipment (PPE).

3. Safety procedures for working at heights.
4. Emergency response procedures related to electrical work.

#### **Section 7.6 - Registry of Authorized Personnel**

Municipalities participating in agreements authorized under this Regulation shall maintain an updated registry of personnel authorized to perform work related to public street lighting systems. Such registry shall include, among other information:

1. Name of the employee or contractor.
2. Applicable professional licenses or certifications.
3. Evidence of technical and safety training.
4. Expiration dates of applicable certifications.

The Energy Bureau or the ~~system operator~~ System Operator may request access to such registry when necessary for regulatory oversight or compliance verification.

## **CHAPTER VIII - LIABILITY, INSURANCE, AND INDEMNIFICATION**

#### **Section 8.1 - Liability for Municipal Interventions**

Municipalities participating in activities involving public street lighting systems connected to the electric grid shall be responsible for the acts or omissions of their personnel, contractors, or subcontractors in the performance of such activities.

Municipalities shall ensure that all municipal interventions are conducted in compliance with the provisions of this Regulation, applicable technical standards, and relevant safety requirements.

Nothing in this Regulation shall be interpreted as transferring operational responsibility for the electric grid to any participating municipality.

#### **Section 8.2 - Required Insurance**

Any municipality participating in activities authorized under this Regulation shall maintain adequate insurance coverage to address the risks associated with municipal interventions involving public street lighting systems connected to the electric grid. Such insurance coverage may include, among others:

1. General liability insurance.

2. Professional liability insurance, where applicable.
3. Property damage insurance.
4. Workers' compensation insurance, as required by applicable law.

The Energy Bureau or the ~~system-operator~~ System Operator may establish minimum coverage requirements when necessary to protect electric grid infrastructure and the public interest.

### **Section 8.3 - Indemnification**

Municipalities participating in agreements authorized under this Regulation shall indemnify and hold harmless the ~~system-operator~~ System Operator, the Puerto Rico Electric Power Authority, and any other entity responsible for the operation of the electric grid from claims, damages, or losses arising from municipal interventions conducted pursuant to this Regulation. Such indemnification shall include, among others:

1. Damage to electric grid infrastructure.
2. Damage to public or private property.
3. Personal injury or death related to work performed pursuant to this Regulation
4. Costs associated with the repair or restoration of the electric grid.

The indemnification obligation shall apply only to the extent that such damages or losses result from acts or omissions attributable to the municipality, its personnel, or its contractors.

### **Section 8.4 - Incident Notification**

Municipalities shall notify the ~~system-operator~~ System Operator and the Energy Bureau of any incident involving:

1. Damage to electric grid infrastructure.
2. Electric service interruptions.
3. Accidents related to public street lighting work.
4. Any situation that poses a risk to public safety or to the safe operation of the electric grid.

Such notification shall be made as soon as reasonably practicable following the occurrence of the incident.

### Section 8.5 - Responsibilities of the System Operator

Nothing in this Regulation shall be interpreted as limiting or altering the responsibilities of the ~~system operator~~System Operator under applicable contractual and regulatory provisions governing the electric ~~transmission and distribution system~~Transmission and Distribution System.

The ~~system operator~~System Operator shall remain responsible for the safe and reliable operation of the electric grid in accordance with applicable laws, regulations, and contractual obligations, including the *Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement*.

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### Section 8.6 - Shared Responsibility

Where damages or incidents result from concurrent actions of both the municipality and the ~~system operator~~System Operator, responsibility shall be determined in accordance with applicable laws and the terms established in the relevant agreements.

The Energy Bureau may evaluate such situations when necessary to protect the integrity and reliability of the electric grid.

## CHAPTER IX - OVERSIGHT, COMPLIANCE, AND ENFORCEMENT

### Section 9.1 - Regulatory Oversight

The Energy Bureau shall exercise regulatory oversight over municipal agreements authorized under this Regulation and over any municipal interventions involving public street lighting systems connected to the electric grid.

Such oversight shall ensure that activities conducted pursuant to this Regulation are consistent with the safety, reliability, and efficient operation of the electric ~~transmission and distribution system~~Transmission and Distribution System.

The Energy Bureau may require the submission of information, documents, or reports related to activities performed under authorized municipal agreements.

### Section 9.2 - Inspections

The ~~Energy Bureau and the system operator~~System Operator may conduct inspections to verify compliance with the provisions of this Regulation and with applicable technical standards governing the electric grid. Such inspections may include, among other matters:

1. Review of work performed on public street lighting systems.

2. Verification of compliance with applicable technical standards.
3. Evaluation of safety conditions related to municipal interventions.
4. Review of operational coordination procedures between municipalities and the ~~system operator~~ System Operator.

Municipalities shall cooperate with any inspection conducted pursuant to this section.

### **Section 9.3 -Compliance Reporting**

Municipalities participating in agreements authorized under this Regulation shall maintain appropriate records of work performed on public street lighting systems connected to the electric grid.

The Energy Bureau may require periodic compliance reports that include, among other information:

1. Description of the work performed.
2. Date and location of interventions.
3. Personnel responsible for performing the work.
4. Any incidents or service interruptions associated with such interventions.

The ~~system operator~~ System Operator may also request additional documentation when necessary to ensure the safe and reliable operation of the electric grid.

### **Section 9.4 -Corrective Measures**

Where the Energy Bureau determines that a municipal intervention or an agreement authorized under this Regulation fails to comply with applicable provisions, the Energy Bureau may require corrective measures. Such corrective measures may include, among others:

1. Correction of work performed in violation of applicable technical standards.
2. Temporary suspension of authorized activities.
3. Modification of operational procedures governing municipal interventions.

### **Section 9.5 - Non-Compliance**

Failure to comply with the provisions of this Regulation may result in regulatory action by the Energy Bureau pursuant to the authority granted under applicable law. Such regulatory actions may include, among others:

1. Suspension or revocation of agreements authorized under this Regulation.
2. Imposition of additional conditions for the continuation of municipal activities.
3. Issuance of orders or directives necessary to protect the safety or reliability of the electric grid.

### **Section 9.6 - Coordination with the System Operator**

The Energy Bureau may coordinate with the ~~system operator~~System Operator in the supervision and evaluation of municipal interventions conducted pursuant to this Regulation.

The ~~system operator~~System Operator may inform the Energy Bureau of any situation that may affect the safety, reliability, or integrity of the electric grid as a result of municipal activities.

Based on such information, the Energy Bureau may take any regulatory action it deems necessary to protect the electric grid.

## **CHAPTER X - PENALTIES AND SANCTIONS**

### **Section 10.1 - Enforcement Authority of the Energy Bureau**

The Puerto Rico Energy Bureau may impose administrative sanctions for violations of the provisions of this Regulation pursuant to the authority granted under applicable law, including Act No. 57-2014, *supra*.

Administrative sanctions may be imposed upon municipalities, contractors, subcontractors, or any other natural or juridical person performing activities involving public street lighting systems in violation of this Regulation.

### **Section 10.2 - Violations of the Regulation**

The following actions, among others, shall constitute violations of this Regulation:

1. Performing interventions involving public street lighting systems connected to the electric grid without the authorization required under this Regulation.
2. Performing work in violation of the technical standards applicable to the electric grid.

3. Conducting activities classified as prohibited interventions under this Regulation.
4. Failing to comply with personnel certification or training requirements applicable to the work performed.
5. Failing to comply with insurance, liability, or incident notification requirements.
6. Providing false or incomplete information to the Energy Bureau or to the ~~system operator~~ System Operator in connection with activities performed pursuant to this Regulation.
7. Failing to comply with applicable federal funding requirements related to interventions conducted under this Regulation.

### **Section 10.3 - Types of Sanctions**

Where a violation of this Regulation is determined, the Energy Bureau may impose one or more of the following sanctions:

1. Administrative warnings or reprimands.
2. Orders requiring correction of work performed in violation of applicable technical standards.
3. Temporary suspension of authorization for municipalities to perform activities under this Regulation.
4. Revocation of municipal agreements authorized pursuant to this Regulation.
5. Administrative fines in accordance with the authority granted under applicable law, including Act No. 57-2014, *supra*.

### **Section 10.4 - Determination of Penalties**

In determining the appropriate sanctions or penalties, the Energy Bureau may consider, among other factors:

1. The nature and severity of the violation.
2. The potential or actual impact of the violation on the safety or reliability of the electric grid.
3. The compliance history of the municipality or responsible party.
4. Corrective measures taken by the municipality or responsible entity.

#### **Section 10.5 - Emergency Measures**

Where the Energy Bureau determines that a municipal intervention presents an immediate risk to public safety or to the operation of the electric grid, it may issue immediate orders requiring the suspension of such activities or the implementation of urgent corrective measures.

Such orders may include the immediate suspension of work or any action necessary to protect the integrity and reliability of the electric grid.

#### **Section 10.6 - Additional Remedies**

The sanctions established in this Regulation shall be independent of any other remedies available under applicable law.

Nothing in this Regulation shall limit the authority of the Energy Bureau to adopt additional regulatory measures when necessary to protect the safety, reliability, or operational integrity of the electric grid.

### **CHAPTER XI - FINAL PROVISIONS**

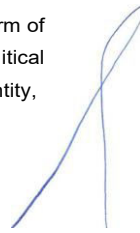
#### **Section 11.1 - Bilingual Interpretation**

This Regulation is adopted in both Spanish and English versions. In the event of any discrepancy, conflict, or interpretative ambiguity between the two versions, the English version shall prevail, in order to ensure consistency with the technical documents, engineering standards, and operational manuals governing the electric grid, which are predominantly drafted in that language.

If, after the approval and effectiveness of this Regulation, any of the laws forming its legal basis are amended, the provisions of this Regulation shall be interpreted in accordance with the applicable law in force. Any provision that is inconsistent with applicable law shall be deemed repealed to the extent of such inconsistency.

#### **Section 11.2 - Non-Discrimination**

The implementation and application of this Regulation shall be free from any form of discrimination on the basis of race, color, nationality, origin, social condition, age, political affiliation, religious beliefs or lack thereof, gender, sexual orientation, gender identity,



genetic information, status or perceived status as a victim of domestic violence, sexual assault, or stalking, as well as military or veteran status, or physical or mental disability.

### **Section 11.3-Severability**

If any provision of this Regulation is declared invalid, illegal, or unenforceable by a court or competent authority, such determination shall not affect the validity or enforceability of the remaining provisions. The remaining provisions shall continue in full force and effect to the extent they can be applied without the invalidated provision.

### **Section 11.4-Transitional Provisions**

Agreements between municipalities and the ~~system-operator~~System Operator relating to public street lighting activities that are in effect at the time of adoption of this Regulation shall be reviewed to ensure their compatibility with the provisions established herein.

The Energy Bureau may require the modification of such agreements when it determines that they do not comply with the regulatory requirements established in this Regulation.

### **Section 11.5 - Repeal**

Any provisions in other legislative or non-legislative regulations, manuals, procedures, circular letters, memoranda, or communications issued by the Energy Bureau that are inconsistent with this Regulation are hereby repealed.

### **Section 11.6 - Effective Date and Approval**

This Regulation shall become effective in accordance with applicable law and thirty (30) days after its filing with the Department of State of Puerto Rico.

From that date forward, any municipal agreement or intervention involving public street lighting systems connected to the electric grid shall comply with the provisions of this Regulation.

Approved by the Puerto Rico Energy Bureau this \_\_\_ day of \_\_\_\_\_ 2026, in San Juan, Puerto Rico.