

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

**IN RE:** REQUEST FOR MICROGRID  
REGISTRATION  
COSSMA, INC. / ESPERANZA VILLAGE

**CASE NO.:** NEPR-CT-2018-0003

**SUBJECT:** Resolution and Order regarding  
*Motion in Compliance of Order and Motion  
Regarding Confidentiality Designation for  
Operational Reports and Annual Reports*,  
filed by COSSMA, Inc.

**RESOLUTION AND ORDER**

**I. Introduction**

On April 23, 2026, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order granting COSSMA, Inc. ("COSSMA") twenty (20) days to submit certain outstanding reports, as required by Section 3.04(A) and Section 5.12 of Regulation 9028.<sup>1</sup>

On May 12, 2026, COSSMA filed a document titled *Motion in Compliance of Order* (May 12 Motion") which included the following:

1. *Microgrid Annual Report* for each year from 2020 through 2025.
2. *Operational Report Electric Power Companies* (Form NEPR-B03) for each year from 2020 through 2025.

On May 12, 2026, COSSMA filed a document titled *Motion Regarding Confidentiality Designation for Operational Reports and Annual Reports* ("Second May 12 Motion"), whereby it requested confidential treatment be granted to the attachments to the May 12 Motion.

**II. Applicable Laws, Regulations and Analysis**

The information submitted through reports by microgrids is important for determining how they can meet the regulation's goals in terms of operation, capacity, and potential.

To obtain important elements of information, Regulation 9028 establishes two (2) reports that renewable microgrids must submit before the Energy Bureau on an annual basis.

**A. Microgrid annual report on fuel usage, generation, and sales**

Under Section 5.12 of Regulation 9028 all microgrid operators are required to submit an annual report on fuel usage, generation, and sales including the following:

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

The Energy Bureau has established *Microgrid Annual Report* (Form NEPR-D03) to submit the corresponding information required by Regulation 9028.

**B. Annual operational report for microgrids**

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



Under Section 3.04 of Regulation 9028 Renewable Microgrids must demonstrate compliance with the qualifications in Section 3.03(A) of the Regulation, selecting one of three (3) alternatives depending of the combination of generating assets. These alternatives included an operational report.

The operational report that microgrids must submit under Section 3.04 of Regulation 9028 requires more specific types of information than the one required in the operational report for electric service companies under Section 2.02 of Regulation 8701<sup>2</sup>, and for Demand Response Aggregators under Section 2.02(B)(1) of Regulation 9246<sup>3</sup>.

If a microgrid chooses the annual operational report as alternative for demonstrating compliance it must include information regarding the following qualifications with Section 3.03(A) of Regulation 9028:

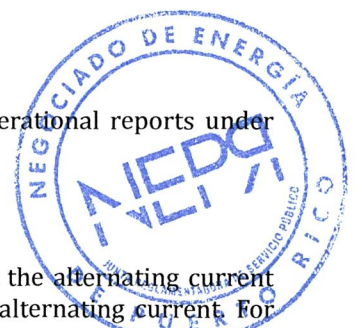
1. The primary energy source of the Microgrid must be one or more Renewable Resource(s) as defined in Section 1.08 of this Regulation.
2. For Renewable Resources to be the "Primary energy source":
  - a. Seventy-five percent (75%) of the energy output of the system during the 12-month period beginning with the date the Microgrid first produces electric energy, and each 12-month period thereafter must be from a Renewable Resource;<sup>4</sup>
  - b. The fuel used by non-renewable generation must be no more than 2,500 Btu per total energy provided by the microgrid;<sup>5</sup>
  - c. The non-renewable generation must operate at a heat rate of no more than 13,000 Btu/kWh at full output; and
  - d. The sum of installed renewable energy generating capacity and electrical energy storage capacity (in MW) of the Microgrid shall exceed the expected peak demand of the Microgrid.
3. Except as otherwise provided, use of fossil fuel by a Microgrid may not, in the aggregate, exceed twenty-five percent (25%) of the total energy output of the system during the 12-month period beginning with the date the Microgrid first produces electric energy and each 12-month period thereafter.
4. Use of fossil fuel by a Microgrid is limited to those purposes identified in 18 C.F.R. §292.204(b)(2) or to operate the Microgrid when the Renewable Resources are unavailable.
5. A Renewable Microgrid Operator may apply for an exemption, under Article 7 of this Regulation of the twenty-five percent (25%) limit on energy output from fossil fuels due to electrical equipment damage from *force majeure* events.

<sup>2</sup> Under Section 3.02(D) of Regulation 9117 energy cooperatives also must file operational reports under Regulation 8701.

<sup>3</sup> *Regulation for Demand Response*, Energy Bureau, December 21, 2020.

<sup>4</sup> For microgrid delivering power as alternating current output will be measured at the alternating current terminals of the generator, after any inverter converting direct current power to alternating current. For microgrids delivering power as direct current, output will be measured at the direct current terminals of the generator, after any inverter converting alternating current power to direct current.

<sup>5</sup> As an example, this standard may be met by a generator operating at 10,000 Btu/kWh, providing 25% of the Microgrid electric energy. Use of oil, natural gas and coal by a Microgrid, under Section 3(17)(B) of the Federal Power Act, is limited to the minimum amounts of fuel required for ignition, startup, testing, flame stabilization, and control uses, and the minimum amounts of fuel required to alleviate or prevent unanticipated equipment outages, and emergencies, directly affecting the public health, safety, or welfare, which would result from electric power outages.



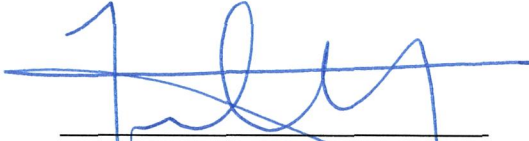
Under Regulation 8701 for an Electric Power Companies to offer energy storage or energy billing must be as separate services to be billed under their own rates and charges, not as intrinsic part of energy generation service.

### III. Conclusion

The Energy Bureau **TAKES NOTICE** of the May 20 Motion and **DETERMINES** COSSMA complied with its duty to submit the operational and annual microgrid reports. Notwithstanding, the Energy Bureau **DENIES** COSSMA's request for confidential designation, as the information provided in its reports does not warrant confidentiality.

Be it notified and published.

  
Lillian Mateo Santos  
Associate Commissioner

  
Ferdinand A. Ramos Soegaard  
Associate Commissioner

  
Sylvia B. Ugarte Araujo  
Associate Commissioner

  
Antonio Torres Miranda  
Associate Commissioner

### CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on June 4, 2026. Chairman Edison Avilés Deliz did not intervene. I also certify that on June 4, 2026 a copy of this Resolution and Order was notified by electronic mail to ramonluisnieves@rlnlegal.com; isolina.miranda@cosma.org, and I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, on June 4, 2026.

  
Sonia Seda Gaztambide  
Clerk

