

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

NEPR

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IN RE:

CASE NO.: NEPR-MI-2021-0004

LUMA INITIAL BUDGETS AND
RELATED TERMS OF SERVICE

SUBJECT: Motion to Submit Responses to
Requirements of Information in Compliance with
Resolution and Order Dated May 27, 2026

**MOTION TO SUBMIT RESPONSES TO REQUIREMENTS OF INFORMATION IN
COMPLIANCE WITH RESOLUTION AND ORDER DATED MAY 27, 2026**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),¹ through its counsel of record, and respectfully states and requests the following:

1. On April 15, 2026, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (the “Energy Bureau”) issued the *Final Resolution and Order on Electricity Rates* in Case No. NEPR-AP-2023-0003 (the “Rate Order”), through which it, *inter alia*, directed LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly, “LUMA”) to file, no later than May 15, 2026, a joint plan—agreed on by LUMA, Genera, and PREPA—describing the use, during Fiscal Year 2027 (“FY27”), of the Fiscal Year 2026 (“FY26”) reconciliation amount of \$98,747,153.00 in the form of an amendment to the FY27 Budget (the “Joint Reconciliation Plan Amendment”).

2. On May 15, 2026, LUMA filed in Case No. NEPR-AP-2023-0003, a document titled *LUMA’s Request for Extension of Time to Submit Joint Reconciliation Plan Amendment in*

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority, Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

Compliance with Final Rate Order (the “May 15 Motion”). In the May 15 Motion, LUMA requested a brief extension of time, until May 20, 2026, within which to file the Joint Reconciliation Plan Amendment, and represented that Genera joins in the request and likewise seeks an extension to that same date.

3. On May 19, 2026, the Energy Bureau issued a Resolution and Order in Case No. NEPR-AP-2023-0003 (i) granting the requested extension and (ii) directing LUMA to file the Joint Reconciliation Plan Amendment, and any subsequent filings concerning that amendment, in the instant docket (NEPR-MI-2021-0004).

4. On May 20, 2026, LUMA filed a document titled *LUMA’s Submission of Joint Reconciliation Plan Amendment in Compliance with Final Rate Order* (the “May 20 Motion”), through which LUMA filed the Joint Reconciliation Plan Amendment, distributing the reconciliation amount of \$98,641,949 consistent with the approved revenue requirement as follows: sixty two percent (62%) to LUMA, sixteen percent (16%) to Genera and three percent (3%) to PREPA.

5. On May 27, 2026, the Energy Bureau issued a Resolution and Order (the “May 27 Resolution”), in which it required additional information for its review of the FY2027 Budget Joint Reconciliation Plan Amendment and ordered LUMA, Genera, and PREPA to respond to the Requirements of Information (“ROIs”) attached thereto.

6. In compliance with the May 27 Resolution, Genera hereby submits as **Exhibit A** to this Motion its Responses to the ROIs applicable to Genera.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes; **accept** Genera’s Responses to the ROIs submitted as Exhibit A; and **deem** Genera to be in compliance with the May 27 Resolution.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 9th day of June of 2026.

ECIJA SBGB

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RUA No. 23,882

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its electronic filing system and that I will send an electronic copy of this motion through counsels of record at: We hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System and that we will send an electronic copy of this motion to mvalle@gmlex.net; nzayas@gmlex.net; rcruzfranqui@gmlex.net; hrivera@jrsp.pr.gov; yahaira.delarosa@us.dlapiper.com; alexis.rivera@prepa.pr.gov; alejandro.figueroara@lumapr.com; regulatorypreborders@lumapr.com; margarita.mercado@us.dlapiper.com; jan.albinolopez@us.dlapiper.com; katiuska.bolanos-lugo@us.dlapiper.com; and rrosas@spalawpr.com.

In San Juan, Puerto Rico, this 9th of June of 2026.

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ Ernesto Raúl Ramos Maldonado
Ernesto Raúl Ramos Maldonado

Exhibit A

Genera's Responses to ROIs Pursuant to Resolution and Order Dated May 27, 2026

Docket Number: NEPR-MI-2021-0004
 In Re: LUMA Initial Budgets and Related Terms of Service
 Subject: Requirement of Information (“ROI”) – Joint Reconciliation Plan

1. The FY2026 revenue requirement was set at \$1,779,624,259, allocated among system components as shown below.

Component	\$	%
LUMA	1,108,203,775	62.27
Genera	288,718,261	16.22
PREPA	52,524,314	2.95
Electric System	119,031,846	6.69
Pension	211,146,063	11.86
Total	1,779,624,259	100.00

The FY2026 reconciliation amount - the FY2026 undercollection that is to be recovered from customers during FY2027 - is \$98,747,153. Genera's component represents 16.22% of the FY2026 revenue requirement, as shown in the table above. Applying that 16.22% share to the reconciliation amount, Genera's allocated portion of the \$98,747,153 is approximately \$16.0 million (16.22% x \$98,747,153 = \$16,016,788).

Genera's portion of the Joint Reconciliation Plan Amendment instead identifies \$26,765,598. That amount exceeds Genera's 16.22% allocation by approximately \$10.7 million (\$26,765,598 - \$16,016,788 = \$10,748,810) and represents 27.11% of the reconciliation amount, rather than the allocated 16.22%.

- a. reconcile that amount with Genera's allocated share of the reconciliation amount, \$16,016,788 (16.22% of \$98,747,153); and
- b. resubmit Genera's portion of the Joint Reconciliation Plan Amendment sized to Genera's established allocation of \$16,016,788,

so that Genera's proposed projects conform to its 16.22% allocation of the \$98,747,153 reconciliation amount.

Response:

Genera acknowledges the allocation methodology described above and has revised its request to conform to its allocated share of the FY2026 reconciliation amount.

The elimination of the GMR funding significantly limits Genera's ability to perform basic plant maintenance activities, including maintaining plant grounds, pest control, waste management, office and facility upkeep, and other general maintenance services required to sustain day-to-day operations. In addition, the lack of available funding, in other lines, constrains Genera's ability to address forced outages, perform reliability driven maintenance activities, and maintain required Long-Term Service Agreements (LTSAs), including contractual obligations necessary to preserve equipment warranties, such as those applicable to the Battery Energy Storage System (BESS) facilities.

The funding reduction also affects Genera's ability to execute maintenance projects that would improve unit availability and increase generation output. Examples include maintenance and replacement activities on critical equipment components that support improved plant performance and reliability. As a result, the continued absence of funding for these activities creates operational risks, reduces Genera's flexibility to respond to emergent maintenance needs, and may adversely affect system reliability.

Based on Genera's 16.22% share of the approved FY2026 revenue requirement, Genera's allocated portion of the \$98,747,153 reconciliation amount is \$16,016,788. Per Energy Bureau's May 27, 2026 order, Genera has reconciled and adjusted its proposed request to reflect this amount.

Program	Plant	Description	Amount
Auxiliary Equipment	All Plants	Replacement of auxiliary equipment that is damaged during operation due to age or wear. Includes Motors, Pumps, Boiler and turbine auxiliary equipment, BOP, etc.	\$5,248,186
Plant General Maintenance	All Plants	Necessary expenditures for plant facilities services such as Landscaping, fumigation, waste disposal, janitorial/cleaning and Air Conditioning services. As well as necessary services for plant support such as technical predictive services vibration and predictive analysis, plant technical advisory services and non-capitalizable expenditures.	\$8,062,873
NME	All Plants	NME projects in execution that have been moved/delayed due to current funding and are important to complete in next Fiscal Year	\$2,705,729
Total			\$16,016,788

Table 1

2. Auxiliary Equipment for all Plants (\$7,000,000)
 - a. Regarding the available funding under PA-02 -PR-4339-PRJ-817248 (Power Plant Repairs & System Restoration): Describe how the \$7,000,000 Auxiliary Equipment program can be integrated into this specific federal funding stream?
 - b. Specifically, how has Genera sought to exhaust federal funding options before proposing an adjustment that would directly impact the electricity rate?

Response:

As previously explained during the rate case hearings, the Auxiliary Equipment program is a recurring maintenance initiative used to repair or replace equipment that supports the operation of Genera's power plants. This equipment may include pumps, motors, instrumentation, valves, and other auxiliary components necessary to maintain safe and reliable generation operations.

Regarding the available funding under PA-02 -PR-4339-PRJ-817248 (Power Plant Repairs & System Restoration), the activities included within the Auxiliary Equipment program cannot be integrated into this federal funding stream because they constitute routine operations and maintenance activities rather than disaster related repairs. Ongoing maintenance expenses are not eligible for FEMA Public Assistance funding. As stated in the FEMA Public Assistance Program and Policy Guide (PAPPG) v5.0, Chapter 8, page 168: "However, the costs associated with ongoing operations and maintenance are not eligible under this policy".

Prior to proposing recovery of these costs through the rate structure, Genera evaluated the eligibility of Auxiliary Equipment costs using available federal funding, including FEMA Public Assistance grant. However, because the Auxiliary Equipment program consists of recurring maintenance and repair

activities required to sustain the normal operation and reliability of generating units, these activities do not meet FEMA's eligibility requirements. As a result, no federal funding source has been identified that can be used to support these routine maintenance expenditures. Accordingly, inclusion of these costs within Genera's operating budget is necessary to ensure the continued safe, reliable, and efficient operation of the generation fleet.

3. Plant General Maintenance for all Plants (\$11,000,000)
 - a. For each activity described in the Plant General Maintenance scope - landscaping, fumigation, waste disposal, janitorial and cleaning, air-conditioning services, technical predictive services, vibration and predictive analysis, plant technical advisory services, and the non-capitalizable expenditures referenced - identify the specific line items, accounts, program briefs, or cost categories of Genera's approved FY2026 revenue requirement under which that activity is funded.
 - b. Identify the O&M expense categories in Genera's approved FY2026 revenue requirement under which the activities in question a reside, such as Materials and Supplies; Professional and Technical Outsourced Services (or Outside / Contractor Services); Plant Operations and Maintenance; and any "Other O&M" category.
 - c. For each plant covered by the request, provide the FY2026 approved O&M budget for plant facilities services (landscaping, fumigation, waste disposal, janitorial and cleaning, air-conditioning services) and for plant support services (technical predictive services, vibration and predictive analysis, plant technical advisory services), broken down by activity and by plant. Identify the portion of the \$11,000,000 that is associated with each plant and each activity.
 - d. Provide the complete derivation of the \$11,000,000 figure, showing the build-up from the activity-, plant-, and contract-level components in questions a through c. Explain how the \$11,000,000 corresponds to (a) the FY2026 approved amounts for these activities and contracts, and (b) the portion of those approved amounts that was not funded during FY2026 as a result of the FY2026 under collection that the reconciliation amount is intended to recover.
 - e. For each activity, plant, and contract identified in questions 1 through 4, provide actual FY2026 expenditures and outstanding obligations year-to-date, and reconcile the difference between FY2026 actuals (plus outstanding obligations) and the FY2026 approved amount. Identify the dollar amount of any approved FY2026 line item that was

not, and is not expected to be, expended or obligated during FY2026, and confirm that the \$11,000,000 corresponds to such unfunded approved amounts.

Response:

The request for Plant General Maintenance is associated with activities that were historically funded through the Generation Maintenance Reserve (“GMR”) established by PREB in its December 8, 2023 Resolution and Order in Docket NEPR-MI-2021-0004. Subsequently, in PREB’s Final Rate Resolution issued on April 15, 2026 in Docket NEPR-AP-2023-0003, the GMR line item was removed from Genera’s approved budget. Notwithstanding the removal of this funding mechanism, the underlying activities remain necessary, prudent, and essential for the safe and reliable operation of the generation fleet.

The elimination of the GMR funding significantly limits Genera’s ability to perform basic plant maintenance activities, including maintaining plant grounds, pest control, waste management, office and facility upkeep, and other general maintenance services required to sustain day to day operations.

This data was provided on Rate Case ROI-PC-of-GENERA-FIN-92 and adjusting for line items expected to be paid in FY27 expenditures a total of \$8,208,373.84 is requested.

These expenditures represent costs associated with activities that remain necessary and prudent notwithstanding the removal of the GMR funding line and are required to maintain safe, reliable, and efficient generation operations throughout Puerto Rico's electric system.

Generation Maintenance Reserve (GMR) as defined by PREB

Most Significant GMR Expenses for FY2025:

Service	Description	Cost
Scaffolding Services	Provision of specialized scaffolding systems, erection, and dismantling services to support boiler inspections, maintenance, and repair activities across multiple generating units.	\$2,204,411.97
Refractory Services	Refractory demolition, installation, and curing works for Units 3 and 4 at Central Palo Seco (CPS), ensuring proper insulation and thermal protection for high-temperature boiler operations.	\$1,002,269.85
Vibration Analysis Services	Predictive and diagnostic vibration analysis services for rotating machinery, including turbines, pumps, and motors, to enhance plant reliability and prevent equipment failure.	\$762,266.30
Control Systems and Maintenance	Maintenance and calibration of Foxboro distributed control systems (DCS) and automation infrastructure for plant instrumentation and process control optimization (Foxboro, LTA)	\$742,069.59
Technical Field Advisory Services	On-site technical support, troubleshooting, and engineering advisory for boiler operation, maintenance, and performance optimization.	\$667,254.75
Landscaping Services*	Groundskeeping, landscaping, and general maintenance services for exterior areas and green zones.	\$554,498.88
Air Conditioning Maintenance*	Maintain refrigeration systems at facilities including control rooms including excitations systems, controls, protection systems, etc.	\$495,308.76
Protection and Control Services	Maintenance and testing of protective relays, control panels, and Supervisory Control and Data Acquisition (SCADA) integration for generation and substation systems.	\$250,830.25
Control Systems	Preventive and corrective maintenance of control and automation systems at Cambalache and Aguirre power stations, ensuring operational integrity.	\$241,604.20
Predictive Maintenance	Predictive and proactive maintenance of rotating equipment through condition monitoring, oil analysis, and vibration diagnostics at Centrale.	\$233,882.00
Building Maintenance	Structural repairs and mechanical restoration of the outfall pumping station facility, including concrete repair.	\$226,858.00
Commissioning Support	Technical assistance and field support during commissioning of major generation units and auxiliary systems to ensure successful start-up and performance validation.	\$204,773.40

Diver Services*	Water channel repair/inspections necessary to maintain proper plant operation	\$170,000.00
Asbestos Removal	Asbestos abatement and safe removal from steam piping systems at the Bunker C storage and vapor reserve areas.	\$116,000.00
Cargo Elevator Maintenance	Routine inspection, lubrication, and repair of cargo elevators at multiple power plant sites to maintain safety compliance and operational reliability.	\$135,005.17
Waste Disposal*	Common waste disposal for all facilities	\$55,839.60

TOTAL**\$8,062,872.72**

* These costs have been added/modified to cover 2027 costs

Table 2

4. NME for all Plants (\$8,765,598)
 - a. Provide details for each specific project and its associated costs. Also identify whether any of these projects are currently federally funded or have been planned for federal funding.
 - b. Provide the implementation status of each program. Are any of these programs still in the pre-execution phase, or have all projects advanced to the execution stage?

Response:

NME for all plants has been reduced to \$2,705,729. The NME included in this request consist of maintenance activities and equipment replacements required to maintain the reliability, availability, and safe operation of Genera’s generating facilities. A detailed table identifying the individual NME items, descriptions, implementation status, and associated costs is included below (Table 3).

Genera continuously evaluates opportunities to utilize federal funding for eligible maintenance and reliability related expenditures. In coordination with federal funding experts, NME activities have been reviewed to determine eligibility under available federal funding programs.

Pursuant FEMA guidelines, certain NME activities are not eligible for federal funding, while others that are potentially eligible have been submitted for funding consideration and remain subject to review and approval. Genera continues to pursue all available funding opportunities; however, more than \$192 million in repairs, maintenance and reliability needs have been identified during FY2026 through FY2028 rate case period that will require local funding because federal funding is unavailable, pending approval, or insufficient to fully address the identified needs.

The requested amount of \$2,705,729 is associated with maintenance activities and equipment replacements that are critical to preserve

generation reliability, equipment condition, operational flexibility, and compliance requirements, and that are not eligible for federal funding. As shown in Table 3, these activities are in various stages of implementation, including: contract execution, equipment fabrication, equipment delivery, outage planning, and field execution. Several activities involve long lead time equipment supply and must be coordinated with planned unit outages to minimize operational impacts and maintain system reliability.

The amount requested for NME is focused on ongoing projects:

Plant	Description	Amount
SJ	Unit 7 repairs not covered by Federal Funds	\$173,730
SJ	Unit 5& 6 Condenser Drain Pit Pump System Rehab	\$286,047
SJ	Relay Modernization and NFPA Compliance study Units 7 & 9	\$91,650
SJ	Acquisition & Installation BFWP LP U5 & 6 (3 Pumps)	\$528,600
SJ	Cooling Tower Pumps Rehab	\$47,230
SJ	Unit 5 & 6 Compressed Air Dryer Rehabilitation	\$157,857
SJ	Limiterque Electric Actuators for Unit 7	\$119,786
SJ	Eaton 1100A Power Drawers at San Juan	\$77,175
SJ	SJ 9 Service Fuel Tank Overfill Prevention Equipment	\$106,854
PS	Maintenance for fire suppression system	\$25,567
PS	Stack Balcony Rehabilitation	\$806,000
Mayaguez	2A Hot Section Exchange repairs not covered in Federal Funds	\$85,000
CS	Manufacturing and installation Load Center 6-2A & 6-2B to be performed at CS6 Environmental Outage not in Federal Funds	\$106,000
CS	Maintenance for DCS Foxboro System CS6 to be performed at CS6 Environmental Outage not in Federal Funds	\$94,233

Table 3

Total \$2,705,729