

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

IN RE: REQUEST FOR CERTIFICATION
XCALA STRATEGIES, LLC.

CASE NO.: NEPR-CT-2026-0003

SUBJECT: Resolution and Order regarding
Motion to Request Certification as a Third-Party Microgrid and to Request Confidential Treatment filed by Xcala Strategies, LLC.

RESOLUTION AND ORDER

I. Introduction

On May 1, 2026, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("May 1 Resolution") certifying Xcala Strategies, LLC. ("Xcala") as an Electric Service Company under Regulation 8701¹.

On June 1, 2026, Xcala filed a document titled *Motion to Request Certification as a Third-Party Microgrid and to Request Confidential Treatment* ("June 1 Motion"). The June 1 Motion included the following documents²:

1. Microgrid Register Form (Form NEPR-D01) ("Attachment II-1").
2. Microgrid Map ("Attachment II-1, Annex 1").
3. System Resources List ("Attachment II-1, Annex 2").
4. Contract Model ("Attachment II, Annex 3").
5. Sample Bill ("Attachment II-1, Annex 4").
6. Billing Model ("Attachment II, Annex 5").
7. Proposed Redacted Structure ("Attachment II-Annex 6").

Xcala requested its planned microgrid to be registered under the classification of Third-Party Microgrid under the generation resource of Combined Heat-and-Power (CHP). Xcala reported that the project is still under development therefore the microgrid design and rate structure are not yet available; and that they will be submitted at the completion of the stages of design, cost, and sales determination.

In its June 1 Motion, Xcala requested confidential treatment of the following documents:

1. Microgrid Map ("Attachment II-1, Annex 1").
2. System Resources List ("Attachment II-1, Annex 2").
3. Proposed Redacted Structure ("Attachment II-Annex 6").

Xcala submitted a redacted version of the above referenced documents in compliance with: (i) Section 6.15 of Act 57-2014³; (ii) Section 1.15 of Regulation 8701; and (iii) *In Re: Policy on Management of Confidential Information in Procedures before the Commission*, Case No.: CEPR-MI-2016-0009, Resolution and Order issued on August 31, 2016 ("Confidential Treatment Resolution").



¹ *Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, February 17, 2016 ("Regulation 8701"), as amended by Regulation No. 9182, *Amendment to Regulation No. 8701, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, June 24, 2020 ("Regulation 9182").

² On June 5, 2026, Xcala included evidence of payment of the filing fee for the application of registration for Third-Party Microgrid ("Attachment IV-1").

³ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, ("Act 57-2014, as amended").

II. Applicable Law and Analysis

A. Registration Requirement

Section 5.03 of Regulation 9028 requires that a company with interest in owning or operating a Third-Party microgrid must submit an application with the information listed in its provisions. The form established by the Energy Bureau for this requirement is *Microgrid Register Form* (Form NEPR-D01).

Xcala filed Form NEPR-D01 with the corresponding information at the present stage of development of its microgrid project.

B. Proposed Rate Structure

Section 5.02(D) of Regulation 9028⁴ requires from microgrid operators the following:

Microgrid Operators shall submit, for Energy Bureau approval, a proposed rate structure, including all supporting documentation.

The requirements of the rate structure are listed in Section 5.04 of Regulation 9028.

Xcala **did not submit** a rate structure, stating that the final uniform rate has not been determined since the final information pertaining to the project investment, O&M costs and expected sales is not available yet.⁵

C. Customer Electric Bill and Informal Administrative Procedure for Objecting Electric Bills

Section 5.03(I)(2) of Regulation 9028 requires that the microgrid register form must include a sample bill for the Energy Bureau review and approval.

Section 5.06 of Regulation 9028 establishes the following requirements for the electric bill:

A. Electric Bills shall be rendered in regular periodic intervals for all Customers taking service from the Microgrid and in accordance with the terms of the contract. Payment shall be due within thirty (30) days of the issuance of the Electric Bill which may be issued electronically or by mail.

B. All Electric Bills must be drafted clearly and plainly so that they are easy to understand without requiring that readers possess any specialized knowledge for their comprehension and must include the contact information of the Energy Bureau and the Independent Consumer Protection Office.

Xcala's model energy bill contains information in the format required by Section 5.06 of Regulation 8863⁶. However, the information in the energy bill model contains several deficiencies:

1. It doesn't include proof of publication of the informal administrative procedure for objecting to electric bills and doesn't explain the procedure for formal reconsideration and review before the Energy Bureau, as required by Section 2.01 of Regulation 8863.
2. It includes only two (2) instead of three (3) distinct means through which its customers may notify their objections and/or requests for investigation of their Bills, as required by Section 4.04 of Regulation 8863.

Xcala's model energy bill **does not comply** with Section 5.06 of Regulation 8863.

⁴ Regulation on Microgrid Development, May 18, 2018 ("Regulation 9028").

⁵ June 1 Motion, page 2, ¶4.

⁶ Regulation on the Procedure for Bill Review and Suspension of Electric Service Due to Failure to Pay, ("Regulation 8863").



Regarding bill objections and suspension of service for microgrid customers, Section 5.07 of Regulation 9028 establishes the following:

All Electric Bill objections and suspension of service procedures will be conducted in accordance with Regulation 8863, Regulation on the Procedure for Bill Review and Suspension of Electric Service, or any future regulation approved by the Commission to that effect.

Section 5.08 of Regulation 9028 establishes the following complaint procedure:

Microgrid Operators shall develop and publish a procedure for addressing any complaints, other than bill disputes, a Customer may have with regards to the Energy Services and/or other Grid Services provided to the Customer. The procedures shall clearly describe the process through which a Customer may file any complaint or grievance with the Microgrid Operator and the process through which the Microgrid Operator will address said complaint or grievance, including the time period within which such complaints or grievances will be addressed.

Any Customer dissatisfied with a determination made by the Microgrid Operator in relation to a complaint or grievance made pursuant to this Section may file a complaint with the Energy Bureau for review of such determination by the Microgrid Operator. Such complaint shall be filed pursuant to Regulation 8543.

Section 2.01 of Regulation 8863 requires that the Informal Administrative Procedure for Objecting Electric Bills **must be published** and comply with the following:

1. It must include the procedure for requesting reconsideration and review before the Energy Bureau, on their website, together with the information requirements that the Customer must file and the forms related to it.
2. The referred websites must include a direct link from their homepage to the place where the Informal Procedure and related forms are stored, for the purposes of ease of access.
3. Furthermore, Electric Service Companies must publish the Informal Procedure in a place that is easily accessible by the public in each one of their regional and commercial offices where Customer service is provided.

Xcala **did not comply** with the totality of the requirements set forth in Section 2.01 of Regulation 8863 and Section 5.08 of Regulation 9028. Particularly, as required by Section 4.14 of Regulation 8863 the procedure must clearly advise customers: (i) of their right to file a request for review before the Energy Bureau; (ii) that they have a period of thirty (30) days during which to file a request for review before the Energy Bureau; (iii) of the necessary information required to file said request for reconsideration before the Energy Bureau fully and opportunely.

D. Model Contract Form

Section 5.09 of Regulation 9028 establishes the provisions that microgrid operators must include in their contract form:

1. The effective date of the contract.
2. The termination date of the contract.
3. All rates and charges for which the customer shall be charged, including, but not limited to, late payment fees and reconnection fees, as applicable.
4. The billing period.
5. The terms and conditions for the suspension of service to the Customer, including the requirements for reconnection.



6. An existing Customer shall be authorized to transfer their rights and responsibilities under a Microgrid contract to a subsequent Customer.
7. Force majeure provisions.
8. Terms and conditions by which the Microgrid Operator may have the right to enter the Customer's premises.
9. Provisions against the theft of power.
10. The name and contact information to whom Customers shall address any inquiries and complaints.
11. The procedure for addressing and resolving complaints or grievances, other than bill objections, as required by Section 5.08 of this Regulation.
12. Provisions for termination of the contract by either party in accordance with Section 5.11 of this Regulation.
13. A provision that if the contract is assigned, ceded or transferred, the same terms and conditions shall apply.
14. The contract shall be governed and construed in accordance with the laws and under the jurisdiction of the Commonwealth of Puerto Rico.

Section 5.11 of Regulation 9028 establishes the requirements for contract length and exit requirements, including:

1. Maximum length
2. Termination of service
3. Equipment removal.
4. Exit fee.
5. Replacement with another operator.
6. Service guarantees.

The model contract⁷ ("Energy Services Agreement") submitted by Xcala **complies** with the requirements of Section 5.09 and 5.11 of Regulation 9028.

III. Conclusion

The Energy Bureau **TAKES NOTICE** of the information regarding the status of Xcala's microgrid project. Xcala **SHALL** submit for approval its Proposed Rate Structure once it has been determined.

The Energy Bureau **GRANTS** Xcala **twenty (20) days**: (i) to correct the deficiencies of the model electric bill listed in Part IIC of this Resolution and Order, as required by Section 2.01, 4.04 and 4.14 of Regulation 8863; and (ii) to submit its *Informal Administrative Procedure for Objecting to Electric Bills*, with proof of its publication, as required by Section 2.01 of Regulation 8863, and Section 5.07 and 5.08 of Regulation 9028.

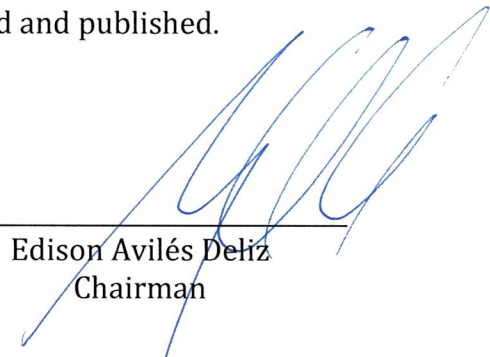
The Energy Bureau **GRANTS** confidential designation, as requested to the following documents submitted with the June 1 Motion: (i) Microgrid Map ("Attachment II-1, Annex 1"); (ii) System Resources List ("Attachment II-1, Annex 2"); and (iii) Proposed Redacted Structure ("Attachment II-Annex 6").

The Energy Bureau **WARNS** Xcala, that, in accordance with Art. 6.36 of Act 57-2014 non-compliance with this Resolution and Order; regulations and/or applicable laws may carry the imposition of fines and administrative sanctions.

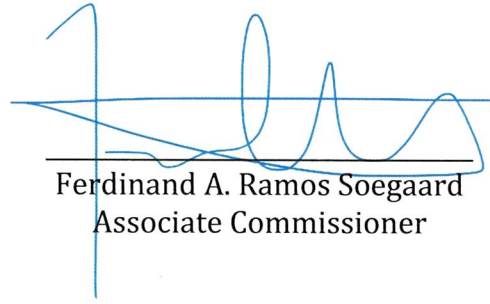
⁷ Amendment II-1 of June 1 Motion.



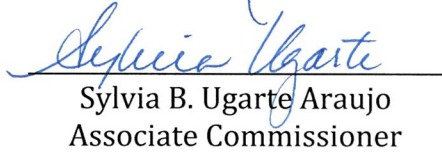
Be it notified and published.



Edison Avilés Deliz
Chairman



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on June 12, 2026. Associate Commissioner Lillian Mateo Santos did not intervene. I also certify that on June 12, 2026, I have proceeded with the filing of the Resolution and Order and a copy of this Resolution and Order was notified by electronic mail to jose.perez1@grpr.com.

For the record, I sign this in San Juan, Puerto Rico, today June 12, 2026.



Sonia Seda Gaztambide
Clerk

