

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

<b>NEPR</b>
<b>Received:</b>
<b>Jun 15, 2026</b>
<b>12:00 PM</b>

**IN RE:**  
IN RE: PUERTO RICO ELECTRIC POWER  
AUTHORITY PERMANENT RATE

**CASE NO. NEPR-MI-2020-0001**

**SUBJECT:** LUMA's Submission of FCA and PPCA Reconciliations for March, April and May 2026, Calculated FCA, PPCA and FOS Factors and Request for Confidential Treatment

**MOTION SUBMITTING FCA AND PPCA RECONCILIATIONS FOR MARCH, APRIL  
AND MAY 2026 AND CALCULATED FACTORS AND MEMORANDUM OF LAW IN  
SUPPORT OF CONFIDENTIAL TREATMENT**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

COME NOW LUMA Energy Servco, LLC ("LUMA" or the "Operator"), through the undersigned counsel, and respectfully state and request the following:

**I. Introduction**

As Operator of the Puerto Rico Electric Power Authority's ("PREPA") Transmission and Distribution System ("T&D System"), and in furtherance of its duties as agent of PREPA regarding system regulatory matters under Section 5.6 of the T&D OMA, LUMA prepares quarterly reconciliations and proposed calculated factors for the Fuel Charge Adjustment ("FCA"), the Purchased Power Charge Adjustment ("PPCA"), and the Fuel Oil Subsidy ("FOS") riders.

The Resolution and Order entered on January 10, 2017, in case no. CEPR-AP-2015-0001, as amended (the "2017 Rate Order") and PREPA's Tariff Book, require the calculation of the FCA and PPCA riders reconciliation to ensure that the costs of the power purchased from private generators and of fuel used for generation by Genera PR LLC ("Genera") are passed through to customers without any markup, profit or additional charges.

LUMA does not own or operate generation facilities, does not purchase any fuel for generation, and does not determine the impact that fuel costs have on customer rates. Moreover,

LUMA's operational costs are not included in the FCA, PPCA, and FOS riders. LUMA's is responsible for calculating factors based on the fuel information provided by Genera and power purchase information provided by private generators every quarter. Furthermore, LUMA does not benefit financially from any change in generation fuel costs or power purchase. LUMA has no control over the cost of fuel used for energy generation or power purchased. The fuel costs embedded in LUMA's calculations are received from Genera. LUMA does not estimate or set fuel costs.

The reconciliations for the FCA and PPCA riders that are submitted herewith for the months of March, April and May 2026 are consistent with the approved and currently existing PREPA Tariff Book and the 2026 Rate Order. LUMA is also submitting proposed factors for the FCA, PPCA and FOS riders for the months of July, August and September 2026 in accordance with the Final Resolution and Order on Electricity Rates ("Final Rate Order") of April 15, 2026, issued in Case No. (the "Rate Review Docket").

LUMA is also submitting reconciliation amounts and estimated costs related to the Customer Battery Energy Sharing ("CBES") Program and the Accelerated Storage Addition Program ("ASAP").

LUMA's submission also includes Excel spreadsheets filed publicly via email in a file entitled *Values* submitted with this Motion. With this motion, LUMA is submitting confidential Excel spreadsheets with formulae intact via email, in a file entitled *Confidential*. As explained in Section VIII *infra*, it is hereby respectfully requested that this Energy Bureau accept and maintain the files and spreadsheets submitted in the file, *Confidential*, under seal of confidentiality.

## II. Procedural Background

On March 27, 2026, the Energy Bureau entered a *Resolution and Order* (“March 27 Order”) approving the reconciliation of the FCA and PPCA for the period of December 2025, January and March 2026, after reviewing actual fuel costs, prior period adjustments, and supporting documentation submitted by LUMA. In accordance with regulatory requirements, the Energy Bureau ordered the implementation of the following FCA, PPCA and FOS factors for the quarter of April 1, 2026 – June 30, 2026:

Adjustment Clause	Factor (\$/kWh)	Effective Date
FCA	0.116349	April 1, 2026 – June 30, 2026
PPCA	0.045575	
FOS	0.017577	

See March 27 Order, at p. 7-8.

Furthermore, the Energy Bureau ordered a \$2,418,880.58 downward cost adjustment to the prior period reconciliation balance, reflecting the variance between Genera’s actual fuel inventory and the fuel inventory reported in the J-28 Report as of February 28, 2026. *Id.* at p. 2.

The March 27 Order also directed LUMA to submit proposed quarterly factors for the FCA, PPCA, and FOS clauses that will take effect on July 1, 2026, including the reconciliations for the months of March, April and May 2026. This submission is made in compliance with said order. *Id.* at p. 8.

## III. Authority of the Energy Bureau regarding Reconciliations

This submission concerning the March, April and May 2026 FCA and PPCA quarterly reconciliation and proposed factors for the FCA, PPCA and FOS riders pertains to the Energy Bureau’s authority under Act 57-2014, as amended by Act 17-2019, to “review and approve and, if applicable, modify the rates or fees charged by electric power service companies in Puerto Rico

or the contractor of the transmission and distribution system of Puerto Rico in connection with any matter directly or indirectly related to the provision of electric power services.” 22 LPRA § 1054(b)(n). Additionally, the Energy Bureau possesses the authority to “formulate and implement strategies to achieve the objectives of this Act, including, but not limited to, attaining the goal of reducing and stabilizing energy costs.” *Id.* at § 1054(b)(f).

The quarterly filing of reconciliations and calculated factors is due in the second week of the third month of each quarter, and the calculated factors, approved by this Energy Bureau, become effective in the first month of the succeeding quarter.

The quarterly reconciliations also include, when applicable and as ordered by the Energy Bureau, any unreconciled amounts from the previous quarter if the factors were not adjusted during that period.

#### **IV. Calculated FCA, PPCA, and FOS Factors**

##### **1. FCA**

The FCA is a reconciling tariff mechanism that recovers the costs of fuel consumed in PREPA’s generating units on a quarterly basis. *See* PREPA Tariff Book at p. 49. The FCA applies to all the PREPA tariffs, except for the RHR tariff (RFR by its Spanish acronym) applicable to residents of public complexes owned by the Public Housing Administration. The formula for calculating the FCA factor is:

$$\frac{\text{FCA} = \text{Total Cost of Fuel} + \text{Prior Period Reconciliation}}{\text{Total Applicable Net Retail kWh Sales}}$$

*Id.*

The total cost of fuel is the cost of fuel purchased for all PREPA's generation facilities for the three forecasted months in the quarterly period. *Id.* The prior period reconciliations are the under- or over-recovered funds for the first two months of the current quarter and the last month of the previous quarter. *Id.* LUMA, on behalf of PREPA, provides the estimates of the reconciling balance with each proposed quarterly filing of the FCA. *Id.* Finally, the applicable net retail kWh sales include the sale of energy to all customer classes, including the net metering clients. *Id.*

## 2. PPCA

The PPCA is a reconciling tariff mechanism that recovers the costs of purchased power from private generators. *Id.* at p. 51. The PPCA applies to all the PREPA tariffs, except for the RHR tariff (RFR by its Spanish-language acronym) (applicable to residents of public complexes owned by the Public Housing Administration). The formula for calculating the PPCA factor is:

$$\text{PPCA} = \frac{\text{Total Costs Purchased Power} + \text{Prior Period Reconciliation}}{\text{Total Applicable Net Retail kWh Sales}}$$

*Id.*

The total cost of purchased power is the cost of the energy and capacity resources purchased from private generators for the three forecasted months in the quarterly period. *Id.* The prior period reconciliations are the under- or over-recovered funds for the first two months of the current quarter and the last month of the prior quarter. *Id.* LUMA shall provide the estimated reconciling balance with each proposed quarterly filing of the PPCA. *Id.* Finally, the applicable net retail kWh sales include the sale of energy to all customer classes, including the net metering clients. *Id.*

### **3. FOS**

The FOS applies to certain general residential services tariffs (GRS, by its English-language acronym), including disabled persons, elderly persons, and university students, tariffs for special residential services (LRS, by its English-language acronym), and residential services for public projects (RH3, by its English-language acronym). *Id.* at p. 53. This fuel subsidy applies to monthly consumption that does not exceed 500 kWh. It is calculated quarterly.

For the first \$30 per barrel of fuel, excluding natural gas, clients will receive a credit equivalent to the subsidy factor multiplied by the customer's monthly consumption of up to 400 kWh. *Id.* Customers who consume between 401 kWh and 425 kWh will receive a credit equivalent to a consumption of 400 kWh. *Id.* Finally, for customers that consume between 426 kWh and 500 kWh, the credit will be progressively reduced to 425 kWh to reach 0 kWh or 500 kWh. *Id.*

## **V. Reconciliations of FCA and PPCA for March 1, 2026 through May 31, 2026**

### **1. FCA and PPCA Riders**

The reconciliations submitted with this Motion in the file entitled "FAC-PPAC Reconciliation Mar-Apr-May 2026.xlsx" include the reconciliations of the FCA and PPCA riders (costs versus revenues) and the amounts to be recovered or returned for each of these riders. For the quarter, there was a total FCA excess revenue of \$1,163,891.06 and a total PPCA revenue insufficiency of \$17,032,382.55.

#### **a. FCA**

For the month of March 2026, total fuel costs, including prior period adjustments, amounted to \$115,355,601.33, while revenues totaled \$124,278,125.88, resulting in excess revenues of \$8,922,524.54.

For the month of April 2026, total fuel costs amounted to \$129,629,100.96, while revenues totaled \$137,343,940.84, resulting in excess revenues of \$7,714,839.88.

For the month of May 2026, total fuel costs amounted to \$162,151,970.40, while revenues totaled \$146,678,497.04, resulting in a revenue insufficiency of \$15,473,473.36.

**b. PPCA**

For the month of March 2026, total purchased power costs amounted to \$53,481,640.13, while revenues totaled \$51,104,101.96, resulting in a revenue insufficiency of \$2,377,538.17.

For the month of April 2026, total purchased power costs amounted to \$60,744,132.64, while revenues totaled \$53,761,479.44, resulting in a revenue insufficiency of \$6,982,653.20.

For the month of May 2026, total purchased power costs, including prior period adjustments, amounted to \$65,089,193.47, while revenues totaled \$57,417,002.29, resulting in a revenue insufficiency of \$7,672,191.18.

**2. CBES Program**

Through a Resolution and Order issued on July 31, 2023, the Energy Bureau directed LUMA to contemplate recovery through the PPCA, as part of the proposed calculated PPCA factor, of the costs associated with the CBES Program. In compliance with this order, LUMA herein submits costs pertaining to the CBES Program.

The CBES costs pertaining to the prior period, amounting to \$266,546.79, are included within the reconciliation summary in Attachment 4 of the “Jul\_Sep\_2026 Proposed\_Factors.xlsx” (see line item under the Purchased Power adjustment clauses). LUMA clarifies that, due to the timing of LUMA's monthly financial closings, CBES costs reported herein have a one-month delay. For example, the PPCA reconciliation for the month of March 2026 includes CBES costs for February 2026, and so forth.

Detailed cost breakdowns and forecasts are available in the "CBES Program Costs & Forecasts" tab within the "Jul\_Sep\_2026 Proposed\_Factors.xlsx."

## **VI. ASAP Implementation Costs**

Through a *Resolution and Order* dated March 5, 2025 entered in the matter of *In re LUMA's Accelerated Storage Addition Program*, Case No. NEPR-MI-2024-0002, the Energy Bureau approved the ASAP Program Implementation Plan and the ASAP Program Expenditure Collection, Reporting & Recovery Procedure.

With respect to costs recoverable through the PPCA, on December 19, 2025, the Energy Bureau approved the recovery of previously incurred ASAP Implementation costs totaling \$1,142,595.40, corresponding to expenditures incurred between September and November 2025. At that time, the Energy Bureau did not consider or approve any projected costs for the subsequent quarter (*i.e.*, 3<sup>rd</sup> quarter).

On December 22, 2025, LUMA requested authorization to extend the use of the 2025 ASAP budget into calendar year 2026, citing unforeseen delays that materially impeded progress on several critical activities originally scheduled for completion in 2025. *See* Motion to Request Extension of ASAP Budget to Calendar Year 2026, filed by LUMA in the matter of *In Re: LUMA's Accelerated Storage Addition Program*, Case No. NEPR-MI-2024-0002 (December 22, 2025). Specifically, these delays prevented the timely completion of Phase 1 System Impact Studies, Phase 2 Facility and System Impact Studies, as well as the finalization of documentation required for the execution of the Standard Offer Agreements.

The Energy Bureau granted LUMA's request, authorizing the use of the remaining 2025 ASAP budget during calendar year 2026 and permitting LUMA to continue reporting both incurred and forecasted costs through its quarterly PPCA filings through December 31, 2026. *See*

Resolution and Order entered in the matter of *In Re: LUMA's Accelerated Storage Addition Program*, Case No. NEPR-MI-2024-0002 (January 14, 2026). The Energy Bureau expressly reiterated that only “Optimistic Case” forward-looking expenses would be eligible for approval and underscored LUMA’s obligation to fully justify all ASAP-related expenditures submitted for recovery through the PPCA mechanism. *See id.* at p. 3.

Consistent with that authorization, the total ASAP Implementation Program costs incurred between March 2026 and May 2026, included in the PPCA reconciliation, amounted to \$296,797.75. The total forecasted costs for the quarterly period are \$530,000.00.

Additional detail regarding these expenditures is set forth in the tab entitled “ASAP Implementation Program” in the “Jul\_Sep\_2026 Proposed\_Factors.xlsx” and “Exhibit 1\_ASAP Costs Breakdown\_June 2026 Quarterly Filing.docx.”

## **VII. Fuel Data and Costs**

LUMA, in accordance with the System Operation Principles, as Operator and agent for Owner, is responsible for the following functions: (i) dispatch, schedule and coordinate Power and Electricity from available generation assets and provide related services; (ii) coordinate the scheduling of load requirements and Power and Electricity with IPPs pursuant to their respective Generation Supply Contracts and with GenCo pursuant to the GridCo-GenCo PPOA; (iii) implement and apply, on a continuous basis on the relevant time basis applicable, the System Operation Principles in order to ensure and coordinate the delivery of Power and Electricity; (iv) develop load and energy forecasts (including daily forecasts), scheduling requirements and capacity requirements taking into consideration unit outages; (v) request and consider information with respect to operational constraints; and (vi) perform any other services related

to the dispatch, scheduling or coordination of Power and Electricity from existing and future available generation assets.

Consistent with these responsibilities, LUMA does **not** procure fuel, set fuel prices, or develop fuel cost projections. Rather, in order to calculate the FCA factor, LUMA requests that Genera provide the certified data that affects the FCA clause, as well as any applicable fuel credits or limitations, no later than five business days into the month. In response, Genera furnishes LUMA the fuel consumption report, the generation report, the plant inventory, the fuel purchases report, the Henry Hub index data, weight-average reports, the fuel price forecasts, scheduled generation units maintenance, and any additional information that will impact fuel costs. This information is generated, maintained, and controlled exclusively by Genera, not by LUMA.

For purposes of the present quarterly submission, on June 5, 2026, Genera provided the following statement:

The May 2026 Fuel Purchases Monthly Report and Summary hereby shared present information for natural gas purchases under the GSA based on operational reports. Final monthly invoice has not been provided by the Seller at the time of this submittal.

The May 2026 Fuel Purchases Monthly Report and Summary, and the Fuel Inventory & Weighted Average Fuel Price Report were produced as part of GeneraPR's regular business operations and, to the best of our knowledge, are correct.

Genera certifies the accuracy of the underlying operational data compiled and transmitted in these reports. The Fuel Report is prepared using the Excel template provided by LUMA, and Genera's role is limited to populating the template with the corresponding operational data. Accordingly, the formulas embedded in the template, any resulting calculations, and any subsequent use or interpretation of the information by LUMA or third parties fall outside Genera's scope of responsibility.

All fuel-related data used in the FCA calculation has been provided exclusively by Genera. LUMA's role is strictly limited to incorporating this information into the calculation of the FCA factor, consistent with its obligations as the T&D Operator. LUMA neither develops nor validates fuel prices, fuel forecasts, or fuel procurement assumptions, and therefore bears no responsibility for the accuracy or completeness of the fuel data provided by Genera. Accordingly, LUMA respectfully submits that inquiries or requests for clarification regarding fuel costs or projections must be directed to Genera.

While LUMA is responsible for operating the system control center pursuant to the T&D OMA, its performance of economic and safe dispatch necessarily relies on the availability of generating units and fuel cost information provided by Genera and the independent power producers ("IPP"). LUMA does not control the availability of generation resources. Rather, it models and executes dispatch decisions based on (i) the availability of Genera and IPP units, (ii) the fuel cost and operational inputs supplied by those entities and (iii) the safe and reliable operation of the T&D System.

Section 5.13(b) of the T&D OMA, LUMA has the right to request from any IPP, and to obtain reasonable access to information consistent with Prudent Utility Practice and necessary to perform dispatch and scheduling functions. Such information includes, without limitation, fuel availability, fuel cost, fuel inventory, unit availability, unit marginal cost, outage schedules, system reliability requirements, reserve requirements, identification of must-run resources, and any other information reasonably required to carry out dispatch, scheduling, and coordination activities.

## VIII. FCA, PPCA and FOS Calculated Factors

The Excel spreadsheet titled “Jul\_Sep\_2026 Proposed\_Factors.xlsx” includes the proposed FCA, PPCA, and FOS factors. FCA and FOS are presented in “Attachment 1,” and the PPCA factor is presented in “Attachment 2.” Attachment 5 has been updated to reflect the proposed Annual Riders as presented to the Energy Bureau on June 1<sup>st</sup>, 2026. Also, Attachment 8 bill impact model has been updated to reflect the new rates, as approved by the Energy Bureau in the Final Resolution and Order on Electricity Rates, and the proposed FCA and PPCA factors.

LUMA respectfully submits for the Energy Bureau’s review and consideration the following factors applicable from July 1, 2026, to September 30, 2026:

<b>Adjustment Clause</b>	<b>Factor (\$/kWh)</b>
FCA	\$0.125935
PPCA	\$0.051170
FOS	\$0.016063

## IX. Documents Filed in Support of the Quarterly Reconciliation and Calculated FCA, PPCA, and FOS

### A. Confidential Folder

1. Precio Ponderado Analisis \_ 2026.5.31.xlsx
2. Jul\_Sep\_2026 Proposed\_Factors.xlsx
3. FAC-PPAC Reconciliation Mar-Apr-May 2026.xlsx

### B. Public Folder

1. Inventory (Fuel) – May 31, 2026:
2. GPR\_Fuel Inventory\_Weighted Average Price Report\_PREPA SYSTEM\_2026.05.31.pdf
3. Precio Ponderado Analisis \_ 2026.5.31\_Values.xlsx
4. AGUIRRE\_TK Inventory\_Full Report\_2026.05.31.pdf

5. CAMBALACHE\_TK Inventory\_Full Report\_2026.05.31.pdf
6. COSTA SUR\_TK Inventory\_Full Report\_2026.05.31.pdf
7. DAGUAO\_TK Inventory\_Full Report\_2026.05.31.pdf
8. JOBOS\_TK Inventory\_Full Report\_2026.05.31.pdf
9. MAYAGÜEZ\_TK Inventory\_Full Report\_2026.05.31.pdf
10. PALO SECO\_TK Inventory\_Full Report\_2026.05.31.pdf
11. SAN JUAN\_TK Inventory\_Full Report\_2026.05.31.pdf
12. YABUCOA\_TK Inventory\_Full Report\_2026.05.31.pdf
13. Jul\_Sep\_2026 Proposed\_Factors\_Values.xlsx
14. FAC-PPAC Reconciliation Mar25-Apr-May 2026\_Values.xlsx

The files are attached to this motion as Exhibit 2.

**X. Request for Confidential Treatment of Excel Files and Supporting Memorandum of Law**

The information redacted from Exhibit 1 and the confidential Excel files listed in Section VIII(B), *supra*, include confidential costs and Excel spreadsheets submitted in native format (.xlsx) and with formulae intact, respectively. They include formulae and original calculations by LUMA personnel that reveal confidential procedures. They also include sensitive commercial information belonging to LUMA and PREPA that are thus protected by law from disclosure, and that should not be disclosed in native form.

**A. Applicable Laws and Regulations to Submit Information Confidentially to the Energy Bureau**

The bedrock provision on the management of confidential information filed before the Energy Bureau is Section 6.15 of Act 57-2014, known as the “Puerto Rico Energy Transformation and Relief Act.” It provides, in pertinent part, that: “if any person who is required to submit information to the Energy [Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the Commission to treat such information as such ....” 22 LPRC §1054n. If the Energy Bureau determines, after appropriate evaluation, that

the information should be protected, “it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted.” *Id.* at §1054n(a).

Relatedly, in connection with the duties of electric power service companies, Section 1.10(i) of Act 17-2019 provides that an electric power service company shall provide information requested by customers, except for confidential information in accordance with the Rules of Evidence of Puerto Rico.

Access to the confidential information shall be provided “only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.” *Id.* at §1054n(b). Finally, Act 57-2014 provides that this Energy Bureau “shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the [Bureau] who needs to know such information under nondisclosure agreements. However, the [Bureau] shall direct that a non-confidential copy be furnished for public review”. *Id.* at §1054n(c).

The Energy Bureau’s Policy on Confidential Information details the procedures a party should follow to request that a document or portion thereof be afforded confidential treatment. In essence, the referenced Policy requires the identification of the confidential information and the ... filing of a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 16, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation, and the reasons why each claim or designation conforms to the applicable legal basis

of confidentiality. *Id.* at paragraph 3. The party that seeks confidential treatment of information filed with the Bureau must also file both a “redacted” or “public version” and an “unredacted” or “confidential” version of the document that contains confidential information. *Id.* at paragraph 6.

The aforementioned Energy Bureau policy on the management of confidential information in procedures states the following with regard to access to validated Trade Secret Information:

1. Trade Secret Information

Any document designated by the [Energy Bureau] as Validated Confidential information because it is a trade secret under Act 80-2011 may only be accessed by the Producing Party and the [Bureau], unless otherwise set forth by the [Bureau] or any competent court.

*Id.* at Section D (on Access to Validated Confidential Information).

Relatedly, the Energy Bureau’s Regulation No. 8543, *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings* (December 18, 2014), includes a provision for filing confidential information in adjudicatory proceedings before this honorable Bureau. To wit, Section 1.15 provides that “a person has the duty to disclose information to the [Bureau] considered to be privileged information, request the [Bureau] the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The [Energy Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed accordingly to ... Article 6.15 of Act No. 57-2015, as amended.”

**B. Grounds for Confidentiality**

Under the Industrial and Trade Secret Protection Act of Puerto Rico, Act 80-2011, P.R. Laws Ann. Tit. 10 §§4131-4144, 10 LPRA §§4131-4144, industrial or trade secrets are deemed to be any information:

- (a) That has a present or a potential independent financial value or that provides a business advantage, insofar as such information is not common knowledge or

readily accessible through proper means by persons who could make a monetary profit from the use or disclosure of such information, and  
(b) for which reasonable security measures have been taken, as circumstances dictate, to maintain its confidentiality.

*Id.* at §4131, Section 3 Act. 80-2011.

Trade secrets include, but are not limited to, processes, methods, mechanisms, manufacturing processes, formulas, projects, or patterns to develop machinery and lists of specialized clients that may afford an advantage to a competitor. *See* Statement of Motives, Act 80-2011. As explained in the Statement of Motives of Act 80-2011, protected trade secrets include any information bearing commercial or industrial value that the owner reasonably protects from disclosure. *Id.*; *see also* Article 4 of Puerto Rico's Open Data Law, Act 122-2019, P.R. Laws Ann. Tit. 3 § 9894, 3 LPRA § 9894 (exempting the following from public disclosure: (1) business or financial information whose disclosure has been proven would cause substantial competitive harm to the person from whom the information was obtained; (2) trade secrets protected by a contract, statute or judicial decision; (3) private information of third parties).

The Puerto Rico Supreme Court has explained that the trade secrets privilege protects free enterprise and extends to commercial information that is confidential in nature. *Ponce Adv. Med. v. Santiago Gonzalez*, 197 DPR 891, 901-02 (2017) (citation omitted).

The Excel spreadsheets submitted today in native form and with formulae intact in the file entitled *Confidential* are protected as trade secrets. They have commercial value to LUMA and PREPA as they reveal confidential processes and analysis to produce calculations in support of the public filings of the proposed rider factors. LUMA and PREPA keep and maintain these native files confidentially and do not disclose them to the public or unauthorized third parties.

LUMA appreciates the importance of placing the Energy Bureau in the position of reviewing the reconciliations and fixing the annual factors. However, to avoid future competitive

harms that could ensue if original format spreadsheets with formulae and calculations are publicly disclosed, LUMA respectfully requests that the Excel files submitted today in the file entitled *Confidential* be received, kept, and maintained confidentially by this Energy Bureau.

The redacted figures in Exhibit 1 and the confidential spreadsheets included as Exhibit 2 are: (1) documents with commercial and financial value, and (2) involve data that **is not common knowledge or readily accessible** by third parties who may seek to profit from the data or gain commercial advantages. The spreadsheets are business documents showing processes, methods, and mechanisms that garner protection under Act 80-2011. They are original documents that have not been disclosed to third parties and whose disclosure would reveal sensitive and private commercial processes employed by LUMA and PREPA. The disclosure of this sensitive commercial information would place LUMA and PREPA in vulnerable and disadvantageous commercial positions that could affect LUMA customers and impact rates. Reasonable measures have been taken to protect the files from disclosure and avoid unauthorized access by third parties that could seek to gain commercial advantages. It is respectfully submitted that the spreadsheets included in the folder entitled *Confidential* are trade secrets protected from public disclosure by Act 80-2011.

## **XI. Conclusion**

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **accept** the filing of the quarterly reconciliation for March, April, and May 2026, and the calculated quarterly rider factors to start on July 1, 2026; and **grant** the request to keep under seal the figures in Exhibit 1 and the spreadsheets that have been filed in Excel format and with formulae in the folder entitled *Confidential* that is submitted with this Motion.

**RESPECTFULLY SUBMITTED.**

In Guaynabo, Puerto Rico, this 15<sup>th</sup> day of June 2026.



**DLA Piper (Puerto Rico) LLC**

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Suite 1501  
Guaynabo, PR 00968-3349  
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*/s/ Katuska Bolaños Lugo*

Katuska Bolaños Lugo  
RUA No. 18,888  
Katuska.Bolanos-Lugo@us.dlapiper.com

## CERTIFICATE OF SERVICE

I hereby certify that on this 15<sup>th</sup> day of June 2026, I filed the foregoing motion with the Clerk of the Puerto Rico Energy Bureau through the Energy Bureau's electronic filing system. I further certify that on the same date I served a true and correct copy of the foregoing filing upon all parties of record in this proceeding via the Energy Bureau's electronic filing system, in accordance with the applicable rules and regulations, including:

The Puerto Rico Electric Power Authority, through  
alexis.rivera@prepa.pr.gov,  
nzayas@gmlex.net,  
rcruzfranqui@gmlex.net,  
mvalle@gmlex.net,

Genera PR LLC, though  
lrn@roman-negron.com,  
legal@genera-pr.com,  
regulatory@genera-pr.com,

The Independent Consumer Protection Office, through  
hrivera@jrsp.pr.gov.

In Guaynabo, Puerto Rico, on this 15<sup>th</sup> day of June 2026.

/s Katuska Bolaños Lugo  
Katuska Bolaños Lugo

**Exhibit 1**

Accelerated Storage Addition Program Memorandum

## **Exhibit 2**

Quarterly Reconciliation and Calculated Factors  
(Supporting files to be submitted via email)