

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

IN RE: INTERCONNECTION REGULATIONS

CASE NO.: NEPR-MI-2019-0009
NEPR-MI-2018-0008

SUBJECT: Revised Preliminary Draft of
Proposed Regulation and Request for
Comments

RESOLUTION AND ORDER

I. Introduction and Relevant Background

On May 20, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("May 20 Resolution") through which it opened Case No. NEPR-MI-2019-0009 to address the process to modify current interconnection regulations. The Energy Bureau began this proceeding to properly align interconnection regulations with public policy. The latter being imperative to provide efficient mechanisms for integrating Distributed Generators ("DGs") to the electric grid.¹

On July 15, 2021, the Energy Bureau issued a Resolution and Order ("July 15 Resolution"), through which it consolidated Case No. NEPR-MI-2019-0009 and Case No. CEPR-MI-2018-0008. These cases were consolidated because both deal with matters pertinent to the interconnection of electrical systems to Puerto Rico's electric power grid. The July 15 Resolution included, as an attachment, a new comprehensive interconnection regulation that would govern the interconnection of DGs and microgrids,² and established the process for the public to review and provide feedback on the Preliminary Draft. The Energy Bureau provided parties with the opportunity to submit comments on the Preliminary Draft, on or before July 30, 2021, before initiating the formal rulemaking process.

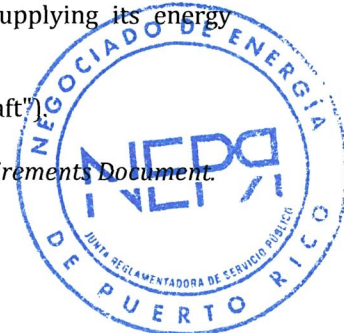
On November 15, 2021, LUMA filed a document titled *Motion to Submit Additional Comments to Preliminary Draft of Proposed Generating Facility and Microgrid Interconnection Regulation* ("November 15 Motion"). Through the November 15 Motion, LUMA proposed that the provisions containing detailed technical requirements for interconnection be removed from the Preliminary Draft and be included in a separate technical document referred to as Technical Interconnection Requirements ("TIR"). LUMA presented a Preliminary Draft TIR document for review and approval by the Energy Bureau.³

On September 9, 2022, the Energy Bureau issued a Resolution and Order ("September 9 Resolution"), accepting LUMA's proposal to remove detailed technical interconnection requirements from the Interconnection Regulation and granted LUMA until October 7, 2022, to file Additional Comments regarding the subjects of DG, evaluations, supplemental study cost values, and DG interconnection capacity cap per feeder. Subsequently, on the due date, LUMA filed for an extension of time as a result of the imminent passage of Hurricane Fiona through Puerto Rico. The Energy Bureau granted the extension and ordered LUMA to comply by November 1, 2022, and invited all stakeholders and any other person or groups interested to provide their comments and feedback to LUMA's Comments, LUMA's Additional Comments, and the Comprehensive TIR, on or before December 1, 2022.

¹ Act 57-2014, Section 1.3 (aa) defines the term "Distributed Generator" as a person or entity that owns an electric power generation facility in Puerto Rico for the primary purpose of self-supplying its energy consumption and that has the option of exporting the excess energy to the electric grid.

² *Proposed Generating Facility and Microgrid Interconnection Regulation* ("Preliminary Draft").

³ See Exhibit 2, November 15 Motion. *Preliminary Draft of Technical Interconnection Requirements Document*.



1 On November 1, 2022, LUMA filed a document titled *Motion to Submit Additional Comments* ("November 1 Motion"), containing a revised draft TIR ("Comprehensive TIR") document for review and approval by the Energy Bureau.⁴

Jim On January 7, 2026, the Governor signed House of Representatives Joint Resolution 193 ("RC 193"), requiring the Puerto Rico Electric Power Authority ("PREPA") and/or LUMA as the electric grid operator to cease collecting all charges for Supplemental Study and grid improvements that would have been required for systems up to 25 kilowatts ("kW") by Regulation 8915, *Regulation for Interconnecting Generators with the Electric Distribution System of the Power Authority and Participating in Net Metering Programs of February 6, 2017*, including the charges in Section V, Article B of the Regulation 8915. Any provision of Regulation 8915 that is inconsistent with RC193 was repealed.

RC 193 orders the Energy Bureau to resume the administrative processes in this instant case for the purpose of developing and adopting a new interconnection regulation. As part of this process, the Energy Bureau is required to conduct workshops with interested entities that will consider new inputs and feedback from stakeholders prior to the issuance of a draft interconnection regulation. The Energy Bureau must complete the rulemaking process for the adoption of the interconnection regulation three hundred sixty-five (365) days from approval of RC 193 (i.e., by January 7, 2027)

On March 19, 2026, the Energy Bureau issued a Resolution and Order ("March 19 Resolution"), inviting all stakeholders and any other persons or groups interested to provide comments and feedback on the interconnection rulemaking workshops and regulation content, on or before April 15, 2026.

On April 15, 2026, LUMA, the Independent Consumer Protection Office ("OIPC"), and the Solar and Energy Storage Association of Puerto Rico ("SESA") submitted comments in accordance with the March 19 Resolution.

On April 27, 2026, the Energy Bureau issued a Resolution and Order ("April 27 Resolution"), scheduling a Virtual Stakeholder Workshop for May 28, 2026, to evaluate and addressing stakeholders' comments and recommendations on the interconnection regulation. The Energy Bureau also ordered LUMA to attend the workshop and provide a thirty (30) minute presentation on a list of topics in the April 27 Resolution and invited OIPC and SESA to present not more than thirty (30) minutes that summarize the key aspects of their April 15, 2026, comments or to respond to other parties' comments on the interconnection regulation.

On May 28, 2026, the Virtual Stakeholder Workshop was held, and LUMA, SESA, and OIPC gave presentations and other stakeholders participated, asking questions and providing comments.

II. Revised Preliminary Draft Regulation

After reviewing and considering the comments submitted on the Preliminary Draft as included in the July 15 Resolution, the comments submitted in response to the March 19 Resolution, and the feedback and presentations during the May 28, 2026, Virtual Stakeholder Workshop, the Energy Bureau has now developed a comprehensive interconnection regulation ("Revised Preliminary Draft").

The Revised Preliminary Draft establishes rules and the processes for the interconnection of DG systems, community solar, and microgrids to the Electric Power System in Puerto Rico. The Revised Preliminary Draft leverages the time and resources spent on the development

⁴ See Exhibit 1, November 1 Motion. *LUMA Additional Comments: Interconnection Regulation and Technical Interconnection Requirements (TIR)*.



1 of the Preliminary Draft while accounting for stakeholder feedback and the requirements of RC 193, and under Act 57-2014, Act 114-2007,⁵ and Act 17-2019.⁶

1 The Revised Preliminary Draft removes the technical requirements and attachments (e.g., application forms, agreements, etc.) previously included in the Preliminary Draft that LUMA subsequently moved to its draft Comprehensive TIR. The draft Comprehensive TIR and attachments will be available for review and comment as part of the approval process for the TIR detailed in Section III of this Resolution and Order.

1 III. Technical Interconnection Requirements

As stated in Section I above, the Energy Bureau previously accepted LUMA’s proposal to remove the technical requirements from the interconnection regulation into the standalone TIR as part of the September 9 Resolution. The Energy Bureau, however, has yet to approve LUMA’s TIR.

1 The Energy Bureau continues to find that the TIR concept has merit in that it contains requirements such as technical codes, standards, and fees that may warrant more frequent revisions and updates than the interconnection regulation. However, it is important for the Energy Bureau to assess and approve the TIR. The Energy Bureau will issue a resolution and order on the TIR, independent of when the final interconnection regulation is adopted. The Energy Bureau finds that stakeholders and any other interested person or group should be provided with the opportunity to comment on the TIR prior to consideration of approval.

1 For these reasons, the Energy Bureau **ORDERS** LUMA to file a Revised Draft TIR by **August 11, 2026**, that incorporates and updates the applicable attachments and considers stakeholder comments provided in response to the March 17 Resolution, the April 27 Resolution, presentations at the May 28 Workshop and any modifications related to Smart Inverter Settings agreed upon with other stakeholders. To the extent that issues related to Smart Inverter Settings, currently under discussion, have not been resolved by August 11, 2026, LUMA **SHALL** identify them as such.

After LUMA submits the Revised Draft TIR, the Energy Bureau will issue a resolution and order inviting stakeholders and other interested parties to submit comments.

IV. Notice of Stakeholder Workshops

The Energy Bureau finds that additional stakeholder workshops are beneficial to the development of the interconnection regulation. Several topics raised during the first Stakeholder Workshop require further discussion before including them in the interconnection regulation or TIR. These topics are Meter Socket Adapters, Daytime Minimum Load, and fees.

Therefore, the Energy Bureau will hold virtual stakeholder workshops on the following dates:

Event	Date/Time
Stakeholder Workshop 2	August 25, 2026 9:30 a.m. – 12:30 p.m.
Stakeholder Workshop 3	September 21, 2026 9:30 a.m. – 12:30 p.m.

The objective of the stakeholder workshops is to evaluate and address stakeholders’ comments on the Revised Preliminary Draft and Revised Draft TIR and seek consensus and

⁵ Known as the *Electric Power Authority Net Metering Program*, as amended (“Act 114-2007”).

⁶ Known as the *Puerto Rico Energy Public Policy Act* (“Act 17-2019”).



solutions that are aligned with public policy. Agendas will be published before each workshop.

All parties interested in participating in the Stakeholder Workshops above must request access on or before 2:00 p.m. of the day before the workshop, by (i) sending an email to secretaria@jrsp.pr.gov; or (ii) contacting the Energy Bureau's Clerk at (787) 523-6262.

V. Request for Comments

The Energy Bureau hereby invites all stakeholders and any other persons or groups interested to provide their comments and feedback on the Revised Preliminary Draft interconnection regulation **on or before August 14, 2026**.

The public and stakeholders may submit their written comments to the Energy Bureau:

- 1) include in their title the following: "Comments on Distributed Generation and Microgrid Interconnection Regulation - Case No. NER-MI-2019-0009";
- 2) be addressed to the attention of Edison Avilés Deliz, Chairman;
- 3) be filed by electronic mail at: comentarios@jrsp.pr.gov; or through the Energy Bureau's electronic filing tool at: <https://radicacion.energia.pr.gov/>; or by postal mail addressed to the Puerto Rico Energy Bureau's Clerk's Office at World Plaza Building, 268 Muñoz Rivera Ave., Plaza Level Suite 202, San Juan, PR 00918-1925; or in person at the Energy Bureau's Clerk's Office, at the referenced address.

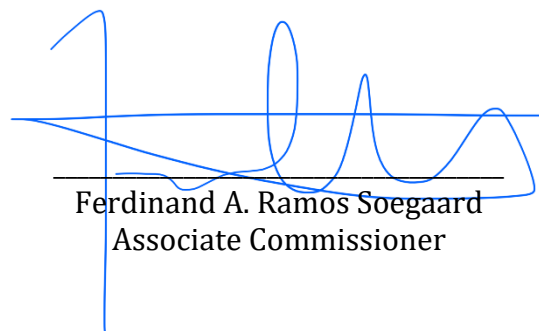
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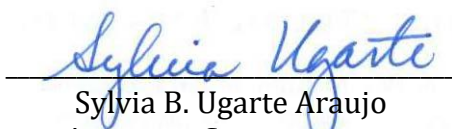
Edison Avilés Deliz
Chairman



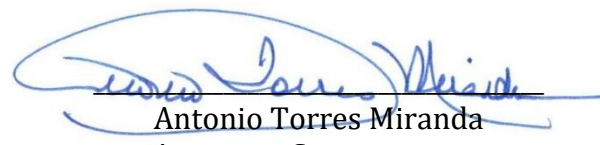
Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



Antonio Torres Miranda
Associate Commissioner

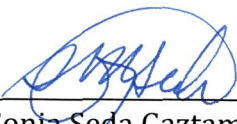


CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on July 13, 2026. I also certify that today, July 13, 2026, I have proceeded with the filing of the Order issued by the Puerto Rico Energy Bureau and a copy of this Order was notified by electronic mail to mvalle@gmlex.net; alexis.rivera@prepa.pr.gov; rcruzfranqui@gmlex.net; nzayas@gmlex.net; RegulatoryPREBorders@lumapr.com; katiuska.bolanos-lugo@us.dlapiper.com; Laura.rozas@us.dlapiper.com; agustin.irizarry@upr.edu; javrua@sesapr.org; hriviera@jrsp.pr.gov; contratistas@jrsp.pr.gov; aconer.pr@gmail.com; John.jordan@nationalpfg.com; pjcleanenergy@gmail.com; cfl@mcvpr.com; mqs@mcvpr.com; gcordero@crmjv.com; Steven.rymsha@sunrun.com; azayas@azeng.net; jberdner@enphaseenergy.com; rbelur@enphaseenergy.com; mrosenfeldt@enphaseenergy.com; gferrer@enphaseenergy.com; kkoch@tesla.com; Andrew.Cote@generac.com; rmoody@cleanpower.com; axel.vargas.montanez@gmail.com.

I sign this in San Juan, Puerto Rico, today July 13, 2026.





Sonia Seda Gaztambide
Clerk



JUNTA REGLAMENTADORA DE
**SERVICIO
PÚBLICO**
NEGOCIADO DE ENERGÍA
GOBIERNO DE PUERTO RICO

Distributed Generation and Microgrid Interconnection Regulation

July 10, 2026 DRAFT

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ARTICLE 1. GENERAL PROVISIONS

Compliance with this Regulation shall relieve no Party affected by this Regulation from complying with other applicable legal and regulatory requirements enforced by any other Government Entity.

SECTION 1.01. Title

This Regulation shall be known as the *Distributed Generation System and Microgrid Interconnection Regulation* ("Regulation").

SECTION 1.02. Legal Basis

The Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") adopted this Regulation pursuant to Act 82-2010, as amended, known as the *Public Policy on Energy Diversification by Means of Sustainable and Alternative Renewable Energy in Puerto Rico Act*; Act 17-2019, as amended, known as the *Puerto Rico Energy Public Policy Act*; Act 57-2014, as amended, known as the *Puerto Rico Energy Transformation and RELIEF Act*; and Act 38-2017, known as the *Uniform Administrative Procedures Act of the Government of Puerto Rico* ("LPAU" for its Spanish acronym). This Regulation shall be interpreted and implemented in a manner consistent with the authority granted to the Energy Bureau under the foregoing Acts.

SECTION 1.03. Purpose

The purpose of this Regulation is to establish the regulatory framework governing the interconnection of Generating Facilities and Microgrids to the Electric Power System in Puerto Rico.

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This Regulation is intended to promote a safe, reliable, efficient, transparent, and nondiscriminatory interconnection process, while supporting the reliability and operational integrity of the Electric Power System and implementing the public policy established by the laws of Puerto Rico.

~~Section 1.03.~~ SECTION 1.04. and Executive Summary

This Regulation provides the rules and procedures for the interconnection of Generating Facilities and Microgrids to the Electric Power System in Puerto Rico. This Regulation establishes the requirements, procedures, technical standards, and responsibilities governing the interconnection of facilities subject to this Regulation to the Electric Power System.

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It establishes the respective roles and responsibilities of the Interconnection Customer, the Electric Power System Operator, and other participants in the interconnection process, as well as the applicable technical requirements, procedures, and operational standards.

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This Regulation is intended to provide a uniform and transparent framework for the interconnection process while supporting the safe and reliable operation of the Electric Power System.

SECTION 1.05. Cost-Benefit Analysis

The Bureau has evaluated the costs and benefits associated with the adoption of this Regulation and has determined that its benefits outweigh any associated costs.

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This Regulation establishes a comprehensive regulatory framework governing the interconnection of Generating Facilities and Microgrids to the Electric Power System. The Bureau finds that the adoption of uniform technical and administrative requirements will promote regulatory certainty, improve administrative efficiency, facilitate the orderly processing of interconnection requests, and support the safe and reliable operation of the Electric Power System.

The Bureau further finds that this Regulation does not impose requirements beyond those reasonably necessary to accomplish its regulatory objectives and to implement the public policy established by the laws of Puerto Rico.

Section 1.04. SECTION 1.06. Applicability

This Regulation applies to any Distributed Generation System, including Community Solar, or Microgrid seeking to interconnect to the Electric Power System, except those that only operate independently of the Electric Power System (*i.e.*, not in Parallel Operation). Customers may participate in Net Metering Programs pursuant to of this Regulation and Act 114-2007, known as the Puerto Rico Net Metering Act, as amended.

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Section 1.05. SECTION 1.07. Interpretation

This Regulation shall be interpreted so it promotes the highest public benefit, consumer protection, and system reliability, and in such a way that proceedings are carried out rapidly, justly, and economically.

Section 1.06. SECTION 1.08. Provisions of Other Regulations

This Regulation constitutes the regulatory framework governing the interconnection of Distributed Generation Systems and Microgrids subject to the jurisdiction of the Energy Bureau. Any regulation, tariff, manual, technical requirement, guideline, operating procedure, administrative policy, or other normative document applicable to such

interconnections shall be interpreted and implemented in a manner consistent with this Regulation. To the extent any such document is inconsistent with this Regulation, the provisions of this Regulation shall govern. ~~This Regulation may be supplemented by other regulations of the Energy Bureau.~~

~~Section 1.07.~~**SECTION 1.09. Unforeseen Proceedings**

When a specific proceeding has not been planned for in this Regulation, the Energy Bureau may attend to it in any way that is consistent with Act 114-2007, Act 57-2014, Act 17-2019, and any other applicable laws.

~~Section 1.08.~~**SECTION 1.10. Dates and Time Periods**

In computing any time period established in this Regulation, or by Order of the Energy Bureau, the day of the act, event, or noncompliance that triggers the period shall not be counted, and the established period shall begin to elapse on the following calendar day. Whenever a due date falls on a Saturday, Sunday, or legal holiday, said due date shall be extended until the next Business Day. All days if not specifically indicated shall be calculated as calendar days except for periods equal or less than seven (7) which shall be calculated as business days.

~~Section 1.09.~~**SECTION 1.11. Definitions**

- A. These definitions are to be used for this Regulation and are not intended to modify the definitions used in any other Energy Bureau Regulation or Order.
- B. For this Regulation, the following terms will have the meaning established below, unless the context of the content of any provision clearly indicates something else:
 - (1) “Aggregate Net Metering Program” – means the extension of the Basic Net Metering Program, created to comply with Amended Order CEPR-MI-2014-0001 of the Puerto Rico Energy Bureau. This program allows a participant to credit the excess energy produced by a Distributed Generation System based on Renewable Energy Sources between service agreements under the same name, located in the same locality as the Distributed Generation System or in different localities, provided that it complies with the conditions set out in Article 9, Section 9.03 of this Regulation.
 - (2) “Basic Net Metering Program” – means the service provided to customers with a Distributed Generation System or Microgrid that use Renewable Energy Sources, interconnected with the EPS, as provided by Act 114-2007. This service allows for the flow of energy to and from the customer's premises through the billing meter. This system supplies part or all of the electricity consumption in the locality where the system is located. At the end of the billing period, the EPS Operator

will charge the customer's net consumption or credit the excess energy exported to the EPS Operator's electric system on their next bill.

- (3) "Billing Period" – means the interval of time between one billing statement date and the next billing statement date. The billing period is the time for which energy use and credits for energy exports are calculated.
- (4) "Business Day" – means Monday through Friday, excluding Federal and local holidays.
- (5) "Cease to Energize" – means the cessation of active power delivery under steady-state and transient conditions and limitation of reactive power exchange. This does not necessarily imply, nor exclude disconnection, isolation, or a Trip. Limited reactive power exchange may continue as specified (*e.g.*, through filter banks).
- (6) "Certified" – means a piece of equipment has been tested in accordance with the applicable requirements of IEEE Std 1547™-2018 and IEEE Std 1547.1™-2020 by any nationally recognized testing laboratory (NRTL) recognized by the United States Occupational Safety and Health Administration to test and certify equipment pursuant to the applicable standard and the equipment has been labeled and is publicly listed by such NRTL at the time of the interconnection application. Equipment installed prior to March 28, 2023 will also be considered certified if it has been tested in accordance with IEEE Std 1547™-2003 and 1547.1™-2005.
- (7) "Community Solar" – means a Distributed Generation System that generates electricity by means of a solar photovoltaic device, and subscribers to the facility receive a bill credit for the electricity generated in proportion to the subscriber's share of the facility's kilowatt-hour output.
- (8) "Confidential Information" - means any confidential and/or proprietary information provided by one Party to the other Party clearly marked or otherwise designated "Confidential." For purposes of this Regulation all design, operating specifications, and Metering data provided by the Interconnection Customer shall be deemed confidential information regardless of whether it is clearly marked or otherwise designated as such. Confidential Information does not include information previously available in the public domain, required to be publicly submitted or divulged by Governmental Authorities (after notice to the other Party and after exhausting any opportunity to oppose such publication or release), or necessary to be divulged in an action to enforce this Regulation. Each Party receiving Confidential Information shall hold

such information in confidence and shall not disclose it to any third party nor to the public without the prior written authorization from the Party providing that information, except to fulfill obligations under this Regulation, or to fulfill legal or regulatory requirements.

- (9) “Credit for Energy Export” – means a credit per kilowatt hour (kWh) for the excess of exported energy during a billing period, in accordance with the rate or compensation mechanism authorized by the Energy Bureau in Act No. 114 of August 16, 2007, as amended. This credit applies for the next billing period.
- (10) “Cyber Portal” – means an internet site where Parties can electronically submit all documents required by this Regulation, monitor the Fast Track Process and Study Process, and approve the interconnection. This site also provides the ability to electronically sign agreements required in this Regulation.
- (11) “Distributed Generation System” – means the device(s) for the production and/or storage of electrical energy, including generators, inverters, protection and control systems, interconnection equipment, and other associated devices, capable of operating in parallel with the Electric Power System. For the purpose of this Regulation, Community Solar is considered a Distributed Generation System. This shall not include the EPS Operator’s Interconnection Facilities.
- (12) “Distribution System” – means the physical equipment used to distribute electric power at voltages below 38,000 volts, including but not limited to poles, primary lines, secondary lines, service drops, transformers and Meters.
- (13) “Distribution Upgrades” – means the additions, modifications, and upgrades to the Distribution System at or beyond the Point of Common Coupling to facilitate interconnection of the Distributed Generation System(s) or the Microgrid and render the distribution service necessary to effectuate the connection to the Distribution System. For Microgrids with multiple Generating Facilities connected to the Distribution System, Distribution Upgrades may occur behind the Microgrid Point of Common Coupling. Distribution Upgrades do not include Interconnection Facilities.
- (14) “Electric Power System” or “EPS” – means the Puerto Rico electric power Transmission and Distribution System, excluding equipment owned by Interconnection Customers.
- (15) “Electric Power System Operator” or “EPS Operator” – means the entity that controls or operates the Electric Power System.

- (16) “Energy Bureau” – means the Puerto Rico Energy Bureau, established by virtue of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board, and Act No. 211-2018, known as the *Reorganization Plan Execution Act of the Public Service Regulatory Board*, formerly the Puerto Rico Energy Commission created under Act 57-2014, which is a specialized independent entity in charge of regulating, overseeing, and enforcing the public policy on energy of the Government of Puerto Rico.
- (17) “Energy Storage” – means any commercially available, customer-sited system, including batteries and batteries paired with on-site generation, that is capable of retaining, storing, and delivering electrical energy by chemical, thermal, mechanical, or other means. For the purposes of this Regulation, an Energy Storage system can be considered part of a Distributed Generation System in whole that operates in parallel with the distribution system.
- (18) “Enter Service” – means begin operation of the Distributed Generation System or Microgrid with an energized EPS.
- (19) “Export Capacity” - means the amount of power that can be transferred from the Distributed Generation System or Microgrid to the Electric Power System in alternating current (AC). Export capacity is the Nameplate Rating unless such capacity is limited by an acceptable means as identified in Section 7.09.
- (20) “Fast Track Process” – means the procedures in ~~Article 3~~^{Article 3} for evaluating an Interconnection Application that meets the eligibility requirements of ~~Section 4.01~~^{Section 4.01} and includes the initial review screens, customer options meeting, and optional supplemental review.
- (21) “Force Majeure Event” – means any act of God, labor disturbance, act of the public enemy, war, insurrection, riot, fire, storm or flood, explosion, breakage or accident to machinery or equipment, any order, regulation or restriction imposed by governmental, military or lawfully established civilian authorities, or any other cause beyond a Party’s control. A Force Majeure Event does not include an act of negligence or intentional wrongdoing.
- (22) “Good Utility Practice” – means the practices, methods and acts engaged in or approved by a significant portion of the electric industry during the time period, or the practices, methods and act which, in exercising reasonable judgment, given the facts known when the decision was made, could have been expected to accomplish the desired result at a reasonable cost consistent with good business practices, reliability, safety and expedition. Good Utility Practice is not

intended to be limited to the optimum practice, method, or act to the exclusion of all others, but rather to be acceptable practices, methods, or acts generally accepted in the region.

- (23) “Governmental Authority” or “Government Entity” - means the government of Puerto Rico, any political subdivision thereof, and any agency, authority, instrumentality, regulatory body, board, bureau, court, or other entity exercising executive, legislative, judicial, taxing, regulatory or administrative powers or functions of or pertaining to government.
- (24) “Host Load” - means the electrical power consumed at the interconnection site.
- (25) “Inadvertent Export” - means the unscheduled export of power exceeding a contractually specified magnitude and for a limited duration.
- (26) “Intentional Island” – means a planned electrical Island capable of being energized by one or more Generating Facilities. These (1) have Distributed Generation System(s) and load, (2) have the ability to disconnect from and to operate in Parallel with the EPS, (3) include one or more customers, and (4) are intentionally planned.
- (27) “Interconnection Agreement” – standard form agreement between an Interconnection Customer and the EPS Operator, as well as the ongoing operation of the Distributed Generation System after it is interconnected. For the Simplified Process, the Interconnection Agreement is incorporated into Simplified Process Notification form, provided as Attachment ~~X8~~ to the Technical Information Requirements Regulation.
- (28) “Interconnection Application” – means the Interconnection Customer’s request to interconnect a new Distributed Generation System or Microgrid, or to increase the Nameplate Rating of, or make a Material Modification to the operating characteristics of, an existing Distributed Generation System or Microgrid that is interconnected with the Electric Power System.
- (29) “Interconnection Customer” – means any entity or individual, including PREPA, the EPS Operator, their affiliates and subsidiaries, that proposes to interconnect to the Electric Power System.
- (30) “Interconnection Facilities” – means the EPS Operator’s Interconnection Facilities and the Interconnection Customer’s Interconnection Facilities (collectively, “Interconnection Facilities”) which include all facilities and equipment between the Distributed

Generation System or Microgrid, and the Electric Power System, including any modification, additions or upgrades that are necessary to physically and electrically interconnect the Distributed Generation System and/or Microgrid to the Electric Power System. For Microgrids with multiple Distributed Generation Systems, Interconnection Facilities may occur behind the Microgrid Point of Common Coupling. Interconnection Facilities are facilities used solely by the Interconnection Customer's Distributed Generation System and shall not include Distribution Upgrades or Network Upgrades.

- (31) "Interconnection Ombudsperson" – means a person appointed by the Energy Bureau to facilitate resolution of disputes regarding the interconnection process and to track and monitor the interconnection process, amongst other duties, as defined by the Energy Bureau.
- (32) "Interconnection Transformer" – means the transformer through which a Distributed Generation System interconnects with the EPS. This may also be the electrical transformer that supplies energy to the Host Load.
- (33) "Island" – means a condition in which a portion of an EPS is energized solely by one or more Generating Facilities while that portion of the EPS is electrically separated from the rest of the EPS on all phases to which the Distributed Generation System is connected. When an Island exists, the Distributed Generation System energizing the Island may be said to be "Islanding" or "Islanded." Islands may be Intentional or Unintentional.
- (34) "Limited Export" - means the exporting capability of a Distributed Generation System or Microgrid whose Export Capacity is limited below the Nameplate Rating by any configuration or operating mode described in Section 7.09.
- (35) "Material Modification" – means a modification to machine data or equipment configuration or to the interconnection site after receiving notification by the Electric Power System Operator of a complete Interconnection Application with a material impact on the cost, timing, or design of any Interconnection Facilities or Upgrades, or a material impact on the cost, timing or design of any Interconnection Application with a later queue priority date. A Material Modification shall include, but may not be limited to, a modification from the approved Interconnection Application that: (1) increases the Nameplate Rating, Export Capacity, Operating Profile, or output characteristics of the proposed interconnection; (2) changes or replaces generating equipment, such as generator(s), inverter(s), transformers, relaying, controls, etc., and substitutes equipment that is not a like-kind

substitution in certification, size, ratings, impedances, efficiencies or capabilities of the equipment; (3) changes transformer connection(s) or grounding; and/or (4) changes to certified inverters with different specifications or different inverter control specifications or set-up.

A Material Modification shall not include a modification from the approved Interconnection Application that: (1) changes in ownership; (2) changes the address, so long as the proposed interconnection remains on the same parcel(s); (3) changes or replaces generating equipment such as generator(s), inverter(s), solar panel(s), Energy Storage device(s), transformers, relaying, controls, etc. and substitutes equipment that is a like-kind substitution in certification, size, ratings, impedances, efficiencies or capabilities of the equipment; and/or (4) changes the DC/AC ratio but does not increase the maximum AC output capability of the proposed interconnection.

- (36) “Meter” or “Metering” – means the equipment or instruments which function is to measure and register the bi-directional flow of electric energy (*i.e.*, energy delivered and received) by a Distributed Generation System or Microgrid interconnected to the EPS.
- (37) “Microgrid” – means a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity that can connect and disconnect from the Electric Power System to enable it to operate in either Parallel (grid-connected) or Islanded (off-the-grid) mode. This shall include the Interconnection Customer’s Interconnection Facilities. In some cases, the EPS Operator’s Interconnection Facilities may also be included in the Microgrid.
- (38) “Microgrid Operator” – means the registered operator of a Microgrid, which shall be the primary party responsible for overseeing the operation of the microgrid equipment (including, but not limited to, Distributed Energy Resources and Distribution Infrastructure), providing maintenance, delivering contracted services, billing for such services, and serving as the primary point of contact. The Microgrid Operator may or may not be the owner of the Microgrid.
- (39) “Minor System Modifications” – means modifications to the Electric Power System or other minor system changes that the Electric Power System Operator estimates will entail less than ten (10) hours of work and five thousand dollars (\$5,000) in materials. The Electric Power System Operator may also deem other more substantial work, including the upgrade of transformers, as Minor System Modifications at its discretion.

- (40) “Nameplate Rating” – means the ~~means the~~ sum total of maximum rated power output of a ~~of a~~ Distributed Generation System, Community Solar, or Microgrid’s constituent generating units or Energy Storage system, as identified on the manufacturer’s nameplate, regardless of whether it is limited by export controls pursuant to Section 7.09 and Section 7.09.A.
- (41) The Nameplate Rating may be distinct from the Export Capacity where a facility uses export controls pursuant to Section 7.09 and Section 7.09.A.
- (42) “Nationally Recognized Testing Laboratory” or “NRTL” – means an accredited laboratory that performs certification tests required by Institute of Electrical and Electronics Engineers and American National Standards Institute (ANSI) standards.
- (43) “Net Consumption” – means the resulting amount from subtracting the Interconnection Customer’s consumed energy from the energy exported to the EPS and credits for energy export, if any. Applied when the energy the Customer consumes is greater than the energy exported and any applicable exported energy credits.

$$C_{net} = kWh_{con} - kWh_{exp} - CR_{exp}$$

Where:

C_{net} = net consumption

kWh_{con} = kWh kilowatt-hours consumed

kWh_{exp} = kWh kilowatt-hours exported

CR_{exp} = credit for energy export (from previous billing period)

- (44) “Net exports” – means the resulting amount when the sum of the energy exported by the Interconnection Customer’s to the EPS and credits for energy export, if any, are subtracted from the energy consumed by the Customer. Applied when the energy consumed by the Customer is less than the sum of the energy exported and any applicable credits for energy exports.

$$E_{net} = kWh_{exp} + CR_{exp} - kWh_{con}$$

Where:

E_{net} = net export

kWh_{con} = kWh kilowatt-hours consumed

kWhexp = kWh kilowatt-hours exported

CRexp = credit for energy export (from previous billing period)

- (45) “Net Metering Program”- means the Basic Net Metering Program established in Act 114-2007; the Aggregate Net Metering Program established by the Energy Bureau’s Amended Order CEPR-MI-2014-0001; and the Shared Net Metering Program established by the Energy Bureau’s Amended Order CEPR-MI-2014-0001. The rules for these programs are described in Article 9 of this Regulation.
- (46) “Net Metering System” – means a Distributed Generation System or Microgrid based on one or more Renewable Energy Sources that participates in the Basic Net Metering Program, the Aggregate Net Metering Program, or the Shared Net Metering Program.
- (47) “Network Upgrades” – means additions, modifications, and upgrades to the Transmission System to accommodate the interconnection. Network Upgrades are at or beyond the Point of Common Coupling. Network Upgrades do not include Distribution Upgrades.
- (48) “Non-Export” or “Non-Exporting” - means the Distributed Generation System or Microgrid is sized and designed using any of the methods identified for non-export in Section 7.09 and Section 7.09.A, such that the output is used for Host Load only and no electrical energy (except for any Inadvertent Export) is transferred from the Distributed Generation System or Microgrid to the Electric Power System.
- (49) “Operating Profile” - means how the Distributed Generation System or Microgrid is designed to be operated, as designated in the Interconnection Application, including the amount of export, the times of year, hours of the day and other relevant conditions.
- (50) “Operator” – means any natural or legal person responsible for the interconnection, operation, and/or maintenance of a Distributed Generation System or Microgrid.
- (51) “Parallel Operation” – means the simultaneous operation of the Distributed Generation System or Microgrid such that power can be transferred across the Point of Common Coupling from or to the Electric Power System. This is also referred to as operating in “grid connected” mode, operating in parallel, or paralleling.
- (52) “Party” or “Parties” – means the Electric Power System Operator and the Interconnection Customer, individually or collectively, as applicable.

- (53) “Point of Common Coupling” or “PCC” – means the point of connection between the Distributed Generation System or Microgrid and the Electric Power System.
- (54) “Power Control System” – means systems or devices which electronically limit or control the steady state AC currents, or DC currents, to a programmable limit or level.
- (55) “Puerto Rico Electric Power Authority” or “PREPA” – means the Puerto Rico Electric Power Authority, a corporate entity created by virtue of Act No. 83 of May 2, 1941, as amended, known as the *Puerto Rico Electric Power Authority Act* (“Act 83-1941”), and any of its affiliates or subsidiaries.
- (56) “Pre-Application Report” – means the report issued by the EPS Operator under Section 2.02 of this Regulation.
- (57) “Queue Position” – means the sequential order of a valid Interconnection Application, relative to all other pending valid Interconnection Applications, that is established based upon the date and time of receipt of the valid Interconnection Application by the EPS Operator.
- (58) “Reasonable Efforts” – means regarding an action required to be attempted or taken by a Party under this Regulation, efforts timely and consistent with Good Utility Practice and are otherwise substantially equivalent to those a Party would use to protect its own interests.
- (59) “Renewable Energy” – means “sustainable renewable energy,” “alternative renewable energy,” and “distributed renewable energy,” jointly, as such terms are defined in Act No. 82-2010, as amended, known as the *Public Policy on Energy Diversification by Means of Sustainable and Alternative Renewable Energy in Puerto Rico Act*.”
- (60) “Return to Service” – means the reentry into service following recovery from a Trip.
- (61) “Shared Net Metering Program” – means the extension of the Basic Net Metering Program, created to comply with the Energy Bureau’s Amended Order CEPR-MI-2014-0001. This permits the use of renewable energy produced by a single Distributed Generation System based on Renewable Energy Sources among multiple participants whose service agreements are located in the same locality as the Distributed Generation System, provided that it complies with the conditions set forth in Article 9, Section 9.04 of this Regulation.

- (62) “Simplified Interconnection Notification” – means the form submitted to the EPS Operator by Interconnection Customers with Distributed Generation Systems qualifying for the Distributed Generation System Simplified Process found in Article 3.
- (63) “Simplified Process” – means the expedited procedure for evaluating an Simplified Interconnection Notification available to small inverter-based systems that interconnect to the Distribution System. The eligibility requirements are found in Article 3 and the Simplified Interconnection Notification and Agreement is found in [ATTACHMENT 2 Attachment X of the Technical Interconnection Requirements](#).
- (64) “Small inverter based system” – means an inverter-based Distributed Generation System with a Nameplate Rating of 50 kW or less, and an Export Capacity of 25 kW or less.
- (65) “Subscriber” – means a customer of the EPS Operator that: (i) holds a subscription to a community solar energy generating system; and (ii) has identified one or more individual meters or accounts to which the subscription shall be attributed.
- (66) “Study Process” – means the procedure for evaluating an Interconnection Application that includes the scoping meeting, the system impact study, and the facilities study established under Article 5 of this Regulation.
- (67) Technical Interconnection Requirements” or “TIR” – means the technical document a handbook to be prepared by the EPS Operator pursuant to this Regulation, establishing the engineering, operational, protection, communications, interoperability, metering, commissioning, testing, safety, and other technical requirements applicable to interconnections governed by this Regulation. The TIR shall be subject to the review and approval of the Energy Bureau through Resolution and Order issued under the applicable docket and shall not amend, modify, supersede, or conflict with this Regulation. of this Regulation which shall address, among other matters indicated in : (a) responsibilities of the Interconnecting Customer related to the grid integration, point of connection, and general system performance; (b) operational performance, power quality, protection, monitoring, control, and telemetry requirements; (c) interoperability with other grid equipment as well as metering, commissioning test and verification requirements; and specific operating requirements and any special protection that may be required for connections on radial or network locations in the distribution grid.

- (68) “Transmission System” – means the facilities used to provide subtransmission (38kV) and transmission (115kV) service.
- (69) “Trip” – means inhibition of immediate Return to Service, which may involve disconnection. Trip executes or is subsequent to Cessation of Energization.
- (70) “Unintentional Island” – means an unplanned Island event.
- (71) “Upgrades” – means the required additions and modifications to the Electric Power System. For an application to interconnect, Upgrades must be at or on the Electric Power System side of the Point Common Coupling. Upgrades may be Network Upgrades or Distribution Upgrades. Upgrades do not include Interconnection Facilities.
- (72) “Voltage Flicker” - means a voltage fluctuation or instability in the EPS that can cause changes in lighting, damage equipment, or that may adversely affect the quality of customer’s electric service.

Section 1.10.SECTION 1.12. Controlling Version

Should any discrepancy between the Spanish version and the English version of this Regulation arise, the English version shall prevail.

Section 1.11.SECTION 1.13. Severability

If any article, provision, word, sentence, paragraph, subsection, or section of this Regulation is disputed before a court and declared unconstitutional or null and void, such ruling shall not affect, damage, or invalidate the remaining provisions of this Regulation, rather the effect shall be limited to the article, provision, word, sentence, paragraph, subsection, or section declared unconstitutional or null and void. The nullity or invalidity of any article, word, sentence, paragraph, subsection, or section, in any specific case, shall not affect or jeopardize in any way its application or validity in any other case, unless it has been specifically and expressly invalidated for all cases.

Section 1.12.SECTION 1.14. Cyber Portal and Forms

The Energy Bureau, with the recommendation of the EPS Operator, shall establish the forms (printed or electronic) it deems necessary to conduct the proceedings pursuant to this Regulation and shall timely inform the public via its website and/or the EPS Operator’s website, as applicable.

The EPS Operator shall commence the operations of the Cyber Portal required under this Regulation on or before one-hundred eighty (180) calendar days from the effective date of this Regulation. Until the commencement of operations of the Cyber Portal, the filing, processing and notification of any document required under this Regulation will be executed

by the Parties using the EPS Operator's existing online portal at the time of adoption of this Regulation, to the extent practical.

Consistent with the foregoing, the EPS Operator shall submit to the Energy Bureau for evaluation and approval, the Cyber Portal before its commencement of operations. The fact that the Energy Bureau has not approved or adopted one or more forms, including the Cyber Portal, is reviewing them, or the Internet website is out of service, shall relieve -no party of its obligation to comply with the provisions stated, provide the information required by this Regulation, or otherwise comply with any Energy Bureau Order.

Accordingly, these forms will be proposed by the EPS Operator to the Energy Bureau and will be adopted as reviewed and approved by the Energy Bureau and may be revised from time to time as proposed by the EPS Operator, subject to the review and approval of the Energy Bureau. The EPS Operator will provide public notice of any revised or new form at least forty-five (45) days prior to requiring the use of the form.

~~Section 1.13.~~SECTION 1.15. Mode of Submission

The forms, documents, and appearances required by this Regulation or any Order of the Energy Bureau must be submitted to the EPS Operator as applicable in electronic format according to the instructions which, from time to time, the EPS Operator publishes on its website.

If the electronic filing system is temporarily not operating or functioning, the forms, documents, and appearances required by this Regulation or by any Order of the Energy Bureau shall be submitted to the EPS Operator in accordance with any instructions the Energy Bureau shall provide through an Order from time to time.

~~Section 1.14.~~SECTION 1.16. Effect of Submission

In filing any document with the EPS Operator, the party undersigning such document shall be deemed to have certified that the content of the document is true and that, according to the signer's best knowledge, information, and belief, formed after reasonable inquiry, the document is based on reliable and trustworthy facts, arguments, judicial sources, and information.

~~Section 1.15.~~SECTION 1.17. Confidential Information

If in compliance with the provisions of this Regulation or any of the Energy Bureau's Orders, a Party has the duty to disclose information to the Energy Bureau considered to be confidential, a commercial or industrial secret under Act 80-2011, known as the *Puerto Rico Trade Secrets Act*, or privileged, pursuant to applicable evidentiary privileges, said Party shall identify the alleged privileged information and request in writing for the Energy Bureau to treat such information as confidential, pursuant to Article 6.15 of Act 57-2014. In identifying privileged information and requesting confidential treatment by the Energy Bureau, the requesting party shall follow the rules and procedures established by the Energy

Bureau in Resolution CEPR-MI-2016-0009¹, as such resolution may be amended from time to time, for the filing, handling, and treatment of confidential information. Except with information protected under the attorney-client privilege, the claim of confidential treatment shall, under no circumstances, be grounds for denying such information from being filed with the Energy Bureau.

~~Section 1.16.~~ **SECTION 1.18. Validity**

Pursuant to Section 2.8 of LPAU, this Regulation shall enter into effect thirty (30) days after its submission to the Puerto Rico Department of State and the Legislative Library of the Office of Legislative Services.

~~Section 1.17.~~ **SECTION 1.19. Compliance with Other Applicable Legal Requirements**

Compliance with this Regulation shall relieve no Party affected by this Regulation from complying with other applicable legal and regulatory requirements enforced by any other Government Entity.

ARTICLE 2. INTERCONNECTION APPLICATION PROCESS

SECTION 2.01. Process Overview

There are three paths for interconnection of Distributed Generation Systems and Community Solar in Puerto Rico.

- A. Simplified Process: This is for small inverter-based systems that meet the eligibility criteria in Article 3 and the combined Simplified Interconnection Notification and Agreement contained in ATTACHMENT 2 Attachment X of the TIR.
- B. Fast Track Process: This is available to an Interconnection Customer proposing to interconnect a certified system with the Distribution System, if the proposed interconnection does not exceed the size limits and other eligibility requirements identified in Section 4.01.B. The Fast Track Process includes the optional supplemental review.
- C. Study Process: This is for all applications to interconnect that do not meet the eligibility requirements for either the Simplified or Fast Track Process. Such applications shall be evaluated under the Study Process in Article 5. The Study Process may include a feasibility study, a system impact study, a Transmission System impact study, and a facilities study.

¹ See, In re: Policy on Management of Confidential Information in Procedures Before the Commission, Case No.: CEPR-MI-2016-0009, August 31, 2016.

For Microgrids with a Nameplate Capacity above five (5) MW, Interconnection Customers must apply to interconnect to the Transmission System and must be approved by the [Energy](#) Bureau in a process that includes citizen participation in Section 6.03.

SECTION 2.02. Pre-Application Report and Interconnection Application Filing Mechanisms

Interconnection Customers may request a Pre-Application Report to acquire information about system conditions at their proposed Point of Interconnection without submitting a full Interconnection Application. Interconnection Customers shall submit all Pre-Application Report requests and Interconnection Applications through the Cyber Portal. Pre-Application Report requests are generally not applicable to Small Inverter-based Systems.

- A. Besides the information described in Section 2.04, which may be provided in response to an informal request, an Interconnection Customer may submit a formal written request form along with a non-refundable fee of three hundred dollars (\$300.00) for a Pre-Application Report on a proposed project at a specific site.
- B. The EPS Operator shall provide the Pre-Application Report described in Section 2.02.G to the Interconnection Customer within ten (10) Business Days of receipt of the completed request form.
- C. The Pre-Application Report produced by the EPS Operator is non-binding, confers no rights, and the Interconnection Customer must still apply to interconnect to the Electric Power System.
- D. The written Pre-Application Report request form shall include the information in Section 2.02.E ~~below~~ to clearly and sufficiently identify the location of the proposed Point of Common Coupling.
- E. The Pre-Application Report request shall include the following information:
 - (1) Project contact information, including name, address, phone number, and email address;
 - (2) Project location (street address(es) with nearby cross streets and town, or place registered with the Property Registry Office);
 - (3) Meter number, pole number, or other equivalent information identifying proposed Point of Common Coupling(s), if available;
 - (4) For Microgrids, Microgrid type (*e.g.*, Personal, Cooperative, Third-Party);

- (5) Distributed Generation type(s) (*e.g.*, solar, wind, combined heat and power, etc.);
 - (6) Whether the Distributed Generation System or Microgrid is paired with Energy Storage;
 - (7) Nameplate Rating and Export Capacity (*i.e.*, alternating current kW);
 - (8) Single or three phase generator configuration; and
 - (9) Whether new service is requested. If there is existing service, include the customer account number(s), site minimum, and maximum current or proposed electric loads in kW (if available) and specify if the load is expected to change.
- F. Using the information provided in the Pre-Application Report request form, the EPS Operator will use best efforts to identify the substation/area bus, bank, or circuit likely to serve the proposed Point of Common Coupling. If any information required to be provided to the Interconnection Customer is considered Confidential Information, then an NDA will need to be signed with the Interconnection Customer or that information will not be provided. This selection by the EPS Operator does not necessarily indicate, after application of the screens and/or study, this would be the circuit the project ultimately connects to. The Interconnection Customer must request additional Pre-Application Reports if information about multiple Points of Common Coupling is requested. If any information required to be provided to the Interconnection Customer is considered Confidential Information, then the Interconnection Customer will be required to sign a Non-Disclosure Agreement in order to receive the required information.
- G. Within ten (10) Business Days of receipt of a completed Pre-Application Report Request, the Utility shall provide a Pre-Application Report to the Applicant. Subject to Section 2.02.H, the Pre-application Report shall include the following information, if available:
- (1) Total capacity (in megawatts (MW)) of substation/area bus, bank or circuit based on normal or operating ratings likely to serve the proposed Point of Common Coupling.
 - (2) Existing aggregate Nameplate Rating and Export Capacity (in MW) interconnected to a substation/area bus, bank or circuit (*i.e.*, amount of generation online) likely to serve the proposed Point of Common Coupling.
 - (3) Aggregate queued Nameplate Rating and Export Capacity (in MW) for a substation/area bus, bank or circuit (*i.e.*, amount of generation in the queue) likely to serve the proposed Point of Common Coupling.

- (4) Available Nameplate Rating and Export Capacity (in MW) of substation/area bus or bank and circuit likely to serve the proposed Point of Common Coupling (*i.e.*, total capacity less the sum of existing aggregate Export Capacity and aggregate queued Export Capacity).
- (5) Substation nominal distribution voltage and/or transmission nominal voltage if applicable.
- (6) Nominal circuit voltage at the proposed Point of Common Coupling.
- (7) Approximate circuit distance between the proposed Point of Common Coupling and the substation.
- (8) Relevant line section(s) actual or estimated peak load and minimum load data, including daytime minimum load as described in Section 4.04.C(1) below and absolute minimum load, when available.
- (9) Number, type and rating of protective devices, and number, type and rating (standard, bi-directional) of voltage regulating devices between the proposed Point of Common Coupling and the substation/area. Identify whether the substation has a load tap changer.
- (10) Number of phases available at the proposed Point of Common Coupling. If only a single phase is available, specify the distance from the three-phase circuit.
- (11) Limiting conductor ratings from the proposed Point of Common Coupling to the distribution substation.
- (12) Whether the Point of Common Coupling is located on a spot network, grid network, or radial supply.
- (13) Based on the proposed Point of Common Coupling, existing or known constraints such as, but not limited to, electrical dependencies at that location, short circuit interrupting capacity issues, power quality or stability issues on the circuit, capacity constraints, or secondary networks.

H. The Pre-Application Report need only include existing data. A Pre-Application Report request does not bind the EPS Operator to conduct a study or other analysis of the proposed generator in the event that data is not readily available. If the EPS Operator cannot complete all or some of a Pre-Application Report due to lack of available data, the EPS Operator shall provide the Interconnection Customer with a Pre-Application Report that includes the data that is available and shall list what additional data is not provided, if any. The provision of information on “available capacity” pursuant to Section 2.02.G(4) does not imply that an interconnection up to this level may be completed

without impacts since there are many variables studied as part of the interconnection review process, and data provided in the Pre-Application Report may become outdated at the time of the submission of the complete Interconnection Application. Notwithstanding the provisions of this section, the EPS Operator shall, in good faith, include data in the Pre-Application Report that represents the best available information at the time of reporting.

- I. Once the Pre-Application Report is conducted for a particular substation, area bus, bank, or circuit, the EPS Operator will publish all relevant generation information, grid data, and reports in a publicly accessible location on its website within 30 days. Confidential customer information, and any other information deemed confidential by the EPS Operator or customer, shall be redacted.

SECTION 2.03. Electronic Signatures

All required applications, agreements and forms must be signed using electronic signatures. Electronic signatures must have a digital audit trail or an image of the signature with timestamp.

SECTION 2.04. Communications

- A. The EPS Operator shall designate an Interconnection Coordinator(s), and this person or persons shall serve as a single point of contact from which information on the status of an application process can be obtained, other than the information provided by the Cyber Portal.
- B. The name, telephone number, and e-mail address of such contact employee or office shall be made available on the EPS Operator's website.
- C. The EPS Operator may have several Interconnection Coordinators assigned, based on the geographical size of its electrical service territory and/or the amount of Interconnection Applications.
- D. The Interconnection Coordinator(s) shall be available to answer questions, connect Interconnection Customers with persons who can address and resolve questions, and otherwise help facilitate communication with the EPS Operator about the status of the Interconnection Application.
- E. Upon request, EPS information provided to the Interconnection Customer should include materials useful to an understanding of an interconnection at a particular point on the EPS, including system studies, interconnection studies, workpapers, and supporting documentation (*i.e.*, relevant power flow, short circuit and stability databases), to the extent such provision does not violate confidentiality provisions of prior agreements or critical infrastructure requirements.

- F. Upon request of either party, the EPS Operator and the Interconnection Customer shall each identify one (1) point of contact with technical expertise for their respective organizations.
- G. Upon the request of either party, status calls could be established every other week.

SECTION 2.05. Submittal of the Interconnection Application or the Simplified Interconnection Notification

- A. The Interconnection Customer shall submit its Interconnection Application (~~Attachment~~ATTACHMENT 1 X of the TIR) or Simplified Interconnection Notification and Agreement (~~Attachment~~ATTACHMENT 2 X of the TIR) to the EPS Operator, together with the applicable processing fee or deposit specified in the Interconnection Application or Simplified Interconnection Notification. Additional fees or deposits shall not be required, except as otherwise specified in this Regulation or by an Energy Bureau Order.
- B. The Interconnection Application shall be date- and time-stamped upon receipt by the EPS Operator. The original date- and time-stamp applied to the Interconnection Application at the time of its original complete submission shall be accepted as the qualifying date- and time-stamp for the purposes of any timetable in this Regulation.
- C. The Interconnection Customer shall be notified of receipt by the EPS Operator within one (1) Business Day of receiving the Interconnection Application; this may be an automatic e-mail that includes the date and time stamped on the Interconnection Application.
- D. For Interconnection Customers using the Simplified Interconnection Notification and Agreement, the EPS Operator shall notify the Interconnection Customer within five (5) Business Days of receiving the Simplified Interconnection Notification whether the Simplified Interconnection Notification is complete. If the Interconnection Notification is incomplete, the EPS Operator shall provide, along with the notice that the Interconnection Notification is incomplete, a written list detailing all information that must be provided to complete the Interconnection Notification. The Interconnection Customer will have five (5) Business Days after receipt of the notice to submit the listed information. The EPS Operator shall review the additional material and notify the Interconnection Customer that the Interconnection Notification is complete within five (5) Business Days. If the Interconnection Customer does not provide the listed information within the deadline, the Interconnection Notification will be deemed withdrawn, unless by mutual agreement of the Interconnection Customers and the EPS Operator this deadline is extended.
- E. For Interconnection Customers using the Interconnection Application, the EPS Operator shall notify the Interconnection Customer within five (5) Business

Days of receiving the Interconnection Application whether the Interconnection Application is complete. If the Interconnection Application is incomplete, the EPS Operator shall provide, along with the notice that the Interconnection Application is incomplete, a written list detailing all information that must be provided to complete the Interconnection Application. The Interconnection Customer will have ten (10) Business Days after receipt of the notice to submit the listed information. The EPS Operator shall have an additional five (5) Business Days to review the additional material and notify the Interconnection Customer that the Interconnection Application is complete. If the Interconnection Customer does not provide the listed information within the deadline, the Interconnection Application will be deemed withdrawn, unless by mutual agreement of the Interconnection Customers and the EPS Operator this deadline is extended.

- F. An Interconnection Application will be deemed complete, not approved, upon the correct submission of all of the listed information or documentation to the EPS Operator.

SECTION 2.06. Modification of the Interconnection Application

- A. At any time, including after receiving Simplified Process, Fast Track, supplemental review, feasibility, system impact, and/or facilities study results, the Interconnection Customer or the EPS Operator may identify modifications to the planned interconnection that may improve the costs and benefits (including reliability) of the interconnection, and/or the ability of the EPS Operator to accommodate the interconnection. The Interconnection Customer shall submit to the EPS Operator, in writing, all proposed modifications to any information provided in the Interconnection Application.
- B. Within ten (10) Business Days of receipt of a proposed modification, the EPS Operator shall evaluate whether a proposed modification constitutes a Material Modification.
- C. If the proposed modification is determined to be a Material Modification, then the EPS Operator shall notify the Interconnection Customer in writing that the Interconnection Customer may: (1) withdraw the proposed modification; or (2) proceed with a new Interconnection Application for such modification. The Interconnection Customer shall notify the EPS Operator of its determination in writing within ten (10) Business Days after being provided the Material Modification determination results. If the Interconnection Customer does not provide its determination, the Interconnection Customer's Application shall be deemed withdrawn.
- D. If the proposed modification is determined not to be a Material Modification, then the EPS Operator shall notify the Interconnection Customer in writing that the modification has been accepted and that the Interconnection Customer

shall retain its eligibility for interconnection, including its place in the interconnection queue.

- E. Any dispute as to the EPS Operator's determination that a modification constitutes a Material Modification shall proceed in accordance with Article 10 of this Regulation.
- F. Any modifications to an Interconnection Application not agreed to in writing by the EPS Operator and the Interconnection Customer may be deemed a withdrawal of the Interconnection Application and may require submission of a new Interconnection Application. The EPS Operator shall notify the Interconnection Customer within five (5) Business Days of deeming the Interconnection Application as withdrawn.

SECTION 2.07. Site Control

The Interconnection Application must include evidence of site control. Site control may be demonstrated through the following:

- A. Ownership of, a leasehold interest in, or a right to develop a site or sites for the purpose of constructing the Distributed Generation System or Microgrid. Documents that show ownership of, a leasehold interest in, or a right to develop a site, listing deed, lease, purchase agreement, option, concession, or license are acceptable. In the case of a Fast Track application, the applicant may submit a sworn statement from the property owner when the applicant resides there under a lease agreement;
- B. An option to purchase or acquire a leasehold site(s) for such purpose; or
- C. An exclusivity or other business relationship between the Interconnection Customer and the entity having the right to sell, lease, or grant the Interconnection Customer the right to possess or occupy a site(s) for such purpose.

SECTION 2.08. Queue Position

- A. The EPS Operator shall assign the Interconnection Application a Queue Position based upon the date- and time-stamp of when it is deemed complete under Section 2.05.
- B. The Queue Position of each Interconnection Application will be used to determine the cost responsibility for the Upgrades required to accommodate the interconnection. The EPS Operator shall maintain a single sequential queue.
- C. Subject to the provisions of Section 2.02, Section 2.05, and Section 2.06, Interconnection Customers shall retain the Queue Position assigned to their initial Interconnection Application throughout the review process, including

when moving through the processes covered by Article 3, Article 4, and Article 5.

- D. If a Distributed Generation System has a prior Queue Position and is now seeking to join or convert to a Microgrid then the prior Queue Position will be abandoned in favor of the Queue Position of the Microgrid. Queue position shall not be transferred to a different proponent, project, or application.

ARTICLE 3. DISTRIBUTED GENERATION SYSTEM SIMPLIFIED PROCESS

A. Eligibility

- (1) The Simplified Process is available to Interconnection Customers for inverter-based Distributed Generation Systems with: a Nameplate Rating of 50 kW or less, ~~and~~ an Export Capacity of 25 kW or less, and who submit the Simplified Interconnection Notification and Agreement.
- (2) To be eligible for the Simplified Process the interconnection must pass the following screens:
 - (i) Have a single Point of Common Coupling;
 - (ii) Have a Point of Common Coupling on a radial distribution circuit, or a spot network serving one customer;
 - (iii) Have no more than one service drop;
 - (iv) Be certified in accordance with Section 8.02 of this Regulation;
 - (v) Meet the technical requirements in Article 8 as well as the codes, standards, and certification requirements of ~~ATTACHMENT 4~~ Attachment X of the ~~TIR is Regulation~~. Alternatively, if the interconnection varies from those requirements, the EPS Operator may review the design and/or test the interconnection to ensure it is safe to operate.

B. Fees

- (1) The Simplified Interconnection Notification and Agreement shall be accompanied by the submittal of a Net Metering Notification Fee of ~~\$300XXX~~ dollars, or an amount subsequently determined through the TIR as approved by the Energy Bureau. [placeholder for process for the Board Energy Bureau to approve updates to the fee in the future].

C. Timeline

- (1) Receipt of the Simplified Interconnection Notification and Agreement and the applicable fee will start the process of enrollment in Basic Net Metering described in Section 9.02.
- (2) The EPS Operator shall review the Interconnection Notice and Agreement within fifteen (15) Business Days after notifying the Interconnection Customer it has received a complete Simplified Interconnection Notification and Agreement. If the interconnection passes the screens described in Article 3.A(2), the EPS Operator shall countersign the Simplified Interconnection Notification and Agreement and provide the executed interconnection agreement to the Interconnection Customer when it provides the results of the screens.

D. Supplemental Studies

- (1) The EPS Operator at its discretion may conduct a Supplemental Review as described in Section 4.04.C provided that the Supplemental Review does not impede the review and approval of the Interconnection Notice and Agreement. Should the EPS Operator conduct a Supplemental Review, no Supplemental Study Fees (including deposits) will be charged to Interconnecting Customers utilizing the Simplified Process.
- (2) Notwithstanding any other provisions of Section 4.04, if after completion of the Supplemental Review, the EPS Operator determines that the interconnection requires system modifications, including but not limited to restrictions on the amount of power that can be transferred from the Distributed Generation System to the Electric Power System, then the EPS Operator will notify the Interconnecting Customer of the Supplemental Study results. Within five (5) Business Days, the Interconnection Customer must inform the EPS Operator if the Interconnection Customer elects to continue. If the Interconnection Customer makes such an election, the EPS Operator shall provide an Interconnection Agreement, along with a non-binding good faith cost estimate and construction schedule for such upgrades, to the Interconnection Customer within fifteen (15) Business Days after the EPS Operator receives such an election.
 - (i) In determining what costs of the system modifications are the responsibility of the Interconnecting Customer, the EPS Operator shall use the following criteria:
 - (1) The fact that the feeder exceeds its capacity [and requires system modifications] shall not constitute an obstacle for the interconnection of photovoltaic or renewable energy systems with a generation capacity that does not exceed 25 kilowatts. In such cases, the

necessary improvements and/or changes to be made to the feeder shall be defrayed by the requesting company. ([Act 114-2007](#))

- (2) The costs related to the modifications or improvements, which may be required, will be determined in accordance with the principles of reasonableness, proportionality and benefit received, preventing such costs from being unfairly transferred to all the customers of the electricity system. (Joint Resolution 193)

- (ii) If the Interconnecting Customer disagrees with the cost allocation determined by the EPS Operator, the Interconnecting Customer may request an Administrative Review by the Energy Bureau as provided for in Section 13.02.

ARTICLE 4. DISTRIBUTION SYSTEM FAST TRACK PROCESS

SECTION 4.01. Applicability and eligibility requirements

- A. The Fast Track Process is available to an Interconnection Customer proposing to interconnect with the Distribution System if the proposed interconnection does not exceed the size limits and other requirements identified in this Section 4.01. However, eligibility is distinct from the Fast Track Process itself, and eligibility does not imply or indicate that an Interconnection Application will pass the Fast Track screens in Section 4.02 or the supplemental review screens in Section 4.04. The Fast Track Process is not applicable to projects utilizing the Simplified Process.

B. Fast Track Eligibility

An Interconnection Application is eligible for Fast Track if the proposed interconnection includes:

- (1) A single Point of Common Coupling;
- (2) A Point of Common Coupling on a radial distribution circuit, or a spot network serving one customer;
- (3) No more than one service drop;
- (4) Only certified Distributed Generation Systems certified in accordance with Section 8.02 of this Regulation; and
- (5) Has ~~a Nameplate Rating~~ an Export Capacity that does not exceed the limits defined in under the thresholds found in Table 1 below.

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Table 1: Export Capacity for Fast Track Eligibility-Size Limit

Line Voltage	Nameplate Rating Regardless of Location
< 5 kV	≤ 500 kW
≥ 5 kV and < 15 kV	≤ 1 MW

- C. In addition to the requirements of Section 4.01, the proposed interconnection must meet the technical requirements in the TIR document, which will include the applicable codes, standards, and certification requirements. Alternatively, if the proposed interconnection varies from those requirements, the EPS Operator may review the design and/or test the proposed interconnection to ensure it is safe to operate.

SECTION 4.02. Initial Review.

A. Screening Timeline

The EPS Operator shall perform an initial review of the Interconnection Application using the Fast Track screens set forth below and shall notify the Interconnection Customer of the initial review results, and include with the notification copies of the analysis and data underlying the EPS Operator's determinations under the screening requirements.

- (1) For Interconnection Customers using the Interconnection Application, the EPS Operator shall provide these results within fifteen (15) Business Days after notifying the Interconnection Customer it has received a complete Interconnection Application.

B. Fast Track Screens:

- (1) For interconnection to a ~~radial~~-distribution circuit, the aggregated Export Capacity, including the proposed Distributed Generation System or Microgrid, on the circuit shall not exceed fifteen percent (15%) of the line section annual peak load as most recently measured at the substation. A line section is that portion of the Distribution System connected to a customer bounded by automatic sectionalizing devices or the end of the distribution line. This screen does not apply to a Non-Exporting Distributed Generation System or Non-Exporting Microgrid, or existing facilities proposing to add no new Export Capacity.
- (2) For interconnection to the load side of spot network protectors, the proposed interconnection must utilize an inverter-based equipment package and, the Nameplate Rating of the Distributed Generation

System or Microgrid, together with the aggregated other inverter-based generation, shall not exceed the smaller of five percent (5%) of a spot network's maximum load or 50 kW.²

- (3) The Nameplate Rating of the proposed Distributed Generation System or Microgrid, in aggregate with the Nameplate Rating of other generation on the distribution circuit, shall not contribute over ten percent (10%) to the distribution circuit's maximum fault current at the point on the high voltage (primary) level nearest the proposed Point of Common Coupling. The EPS Operator may allow Generating Facilities or Microgrids with a Nameplate Rating of 50 kW or less to skip this screen.
- (4) The Nameplate Rating of the proposed Distributed Generation System or Microgrid, in aggregate with the Nameplate Rating of other generation on the distribution circuit, shall not cause any distribution protective devices and equipment (including, but not limited to, substation breakers, fuse cutouts, and line reclosers), or Interconnection Customer equipment on the system to exceed ninety (90%) of the short circuit interrupting capability; nor shall the interconnection be proposed for a circuit that already exceeds ninety percent (90%) of the short circuit interrupting capability. The EPS Operator may allow Generating Facilities or Microgrids with a Nameplate Rating of 50 kW or less to skip this screen.
- (5) Using the applicable criteria in the TIR, determine the type of interconnection to a primary distribution line. This screen includes a review of the type of electrical service provided to the Interconnection Customer, including line configuration and the transformer connection to limit the potential for creating over-voltages on the EPS due to a loss of ground during the operating time of any anti-islanding function.

This screen does not apply to Generating Facilities or Microgrids with a Nameplate Rating of 50 kW or less.
- (6) If the proposed interconnection is on single-phase shared secondary, the aggregate Export Capacity on the shared secondary, including the proposed Distributed Generation System or Microgrid, shall not exceed sixty five percent (65%) of the transformer nameplate rating.
- (7) If the proposed interconnection is single-phase and is to be interconnected on a center tap neutral of a 240 volt service, its addition

² A spot network is a type of distribution system found within modern commercial buildings to provide high reliability of service to a single customer. See STANDARD HANDBOOK FOR ELECTRICAL ENGINEERS, 11th Edition, Donald Fink, McGraw Hill Book Company.

shall not create an imbalance between the two sides of the 240 volt service of over 20% of the nameplate power rating of the service transformer.

- (8) The Nameplate Rating of the Distributed Generation System or Microgrid, in aggregate with other generation interconnected to the transmission side of a substation transformer feeding the circuit where the Microgrid proposes to interconnect shall not exceed 10 MW in an area where there are known, or posted, transient stability limitations to generating units located in the general electrical vicinity (*e.g.*, three (3) or four (4) transmission busses from the Point of Common Coupling).

C. Notifications and Execution of Applicable Agreements

If the proposed interconnection passes the screens, or if the proposed interconnection fails the screens, but the EPS Operator determines that the proposed interconnection may nevertheless be interconnected consistent with safety, reliability, and power quality standards, the Interconnection Application shall proceed as follows:

~~(1) For the Simplified Process, if the proposed interconnection requires construction of facilities or upgrades, it shall be treated like other Fast Track projects and follow the procedures below and be asked to sign the Interconnection Agreement in Attachment 8.~~

~~(2)~~(1) If the proposed interconnection requires no construction of facilities on the Electric Power System, the EPS Operator shall provide the Interconnection Customer with an executed Interconnection Agreement within fifteen (15) Business Days after the determination.

~~(3)~~(2) If the proposed interconnection requires only Minor System Modifications, the EPS Operator shall notify the Interconnection Customer of such requirement when it provides initial review results and copies of the analysis and data underlying the determinations under the screens. Within five (5) Business Days, the Interconnection Customer must inform the EPS Operator— if the Interconnection Customer elects to continue the Application. If the Interconnection Customer makes such an election, the EPS Operator shall provide an Interconnection Agreement, along with a non-binding good faith cost estimate and construction schedule for such upgrades, to the Interconnection Customer within thirty (30) Business Days after the EPS Operator receives such an election.

~~(4)~~(3) If the proposed interconnection requires more than Minor System Modifications, the EPS Operator shall notify the Interconnection Customer of such requirement when it provides the initial review

results and copies of the analysis and data underlying the screen determinations. Within five (5) Business Days, the Interconnection Customer must inform the EPS Operator— if the Interconnection Customer elects to proceed with the proposed interconnection. If the Interconnection Customer makes such an election, the EPS Operator may elect to (i) provide an Interconnection Agreement, along with a non-binding good faith cost estimate and construction schedule for such upgrades, within forty (40) Business Days after the EPS Operator receives such an election or (ii) notify the Interconnection Customer that an interconnection facilities study must be performed pursuant to Section 5.05, and provide a facilities study agreement within ten (10) Business Days after the EPS Operator receives such an election.

~~(5)~~(4) If the proposed interconnection fails the screens, and the EPS Operator cannot determine from the initial review that the proposed interconnection may nevertheless be interconnected consistent with safety, reliability, and power quality standards unless the Interconnection Customer considers minor modifications or further study, the EPS Operator shall provide the Interconnection Customer with the opportunity to attend the customer options meeting in Section 4.03 of this Regulation.

SECTION 4.03. Customer Options Meeting

- A. If the EPS Operator determines the Interconnection Application cannot be approved without (1) a supplemental study or other additional studies or actions or (2) incurring significant cost to address safety, reliability, or power quality problems, the EPS Operator shall notify the Interconnection Customer of that determination and provide a detailed explanation supporting its conclusion.
- B. If requested by the Interconnection Customer, within ten (10) Business Days of the EPS Operator's determination, the EPS Operator shall convene a customer options meeting with the Interconnection Customer and the EPS Operator.
- C. At the customer options meeting, the Parties shall review the screen analysis and related results, possible Distributed Generation System or Microgrid modifications, and determine what further steps are needed to permit the safe and reliable interconnection.
- D. At the time of notification of the EPS Operator's determination, or at the customer options meeting, the EPS Operator shall:
 - (1) Offer to perform a supplemental review in accordance with Section 4.04 and provide a non-binding good faith estimate of the costs of such review; or

- (2) Obtain the Interconnection Customer's agreement to continue evaluating the Interconnection Application under the Study Process in Article 5.

SECTION 4.04. Supplemental Review

- A. To accept the offer of a supplemental review, the Interconnection Customer shall agree in writing and submit a deposit for the estimated costs of the supplemental review in the amount of the EPS Operator's good faith estimate of the costs of such review, both within fifteen (15) Business Days of the offer. If only the written agreement, but not the deposit, has been received by the EPS Operator within that timeframe, the Interconnection Application shall continue to be evaluated under the Article 5 Study Process unless it is withdrawn by the Interconnection Customer. If the deposit is not received within 90 Business Days from the date of submission of the written agreement, the application is deemed withdrawn.
- B. Interconnection Customers submitting an Interconnection Application shall be responsible for the EPS Operator's actual costs for conducting the supplemental review. The Interconnection Customer must pay any review costs that exceed the deposit within twenty (20) Business Days of receipt of the invoice or resolution of any dispute. If the deposit exceeds the invoiced costs, the EPS Operator will return such excess within twenty (20) Business Days of the invoice without interest. Interconnection Customers eligible for the Simplified Process shall not be responsible for any of the EPS Operator's costs for conducting the supplemental review.
- C. Within thirty (30) Business Days following receipt of the deposit for a supplemental review, the EPS Operator shall (1) perform a supplemental review using the screens set forth below; (2) notify in writing the Interconnection Customer of the results; and (3) include with the notification copies of the analysis and data underlying the determinations under the screens.
 - (1) *Minimum Load Screen:* Where 12 months of line section minimum load data (including Host Load but not station service load served by the proposed Distributed Generation System or Microgrid) are available, can be calculated, can be estimated from existing data, or determined from a power flow model, the aggregate Export Capacity of the Generating Facilities on the line section is less than 100% of the minimum load for all line sections bounded by automatic sectionalizing devices upstream of the proposed interconnection. If minimum load data is not available, or cannot be calculated, estimated or determined, the EPS Operator shall include the reason(s) that it is unable to calculate, estimate or determine minimum load in its supplemental review results notification under Section 4.04.D This screen does not

apply to a Non-Exporting Distributed Generation System or Non-Exporting Microgrid, or existing facilities proposing to add no new Export Capacity.

- (2) *Type of generation:* The type of generation used by the proposed interconnection will be considered when calculating, estimating, or determining circuit or line section minimum load relevant for applying screening requirements of Section 4.04.C(1). Solar photovoltaic (PV) generation systems with no Energy Storage use daytime minimum load (i.e., 10 a.m. to 4 p.m. for fixed panel systems and 8 a.m. to 6 p.m. for PV systems utilizing tracking systems), while all other generation uses absolute minimum load. The EPS Operator shall apply this screen using the Operating Profile and system design designated in the Interconnection Application. For example, the EPS Operator shall evaluate the maximum Export Capacity only during the hours of the day designated by the customer as operational, and shall consider any export controls that comply with Section 7.09.
- (i) Only the net injection of power into the EPS will be considered as part of the aggregate Export Capacity.
 - (ii) For the purposes of this screen, the EPS Operator will not consider as part of the aggregate Export Capacity any existing Export Capacity already reflected in the minimum load data.
 - (iii) Although export will not be considered, load reducers that are applying to interconnect, that do not export, will be considered to effectively reduce circuit or circuit section load by the amount of load the generator is displacing.
- (3) *Voltage and Power Quality Screen:* In aggregate with existing generation on the line section: (1) the voltage regulation on the line section can be maintained in compliance with requirements under all system conditions; (2) the voltage fluctuation, including Rapid Voltage Change is within acceptable limits as defined by Institute of Electrical and Electronics Engineers (IEEE) Standard 1453 or Standard 1547-2018, or utility practice similar to IEEE Standard 1453 or Standard 1547-2018;³
- (4) *Safety and Reliability Screen:* The location of the proposed interconnection and the aggregate generation on the line section do not create impacts to safety or reliability that cannot be adequately

³ Voltage fluctuation and harmonics limits are both addressed by IEEE 1547-2018. However, until full adoption of IEEE 1547-2018 is complete, IEEE 1453 and IEEE 519 may be used for the respective requirements. Equipment tested to comply with the updated harmonics requirements of IEEE 1547-2018 will not be available until approximately 18 months or more after publication of the revision of IEEE 1547.1.

addressed without application of the Study Process. The EPS Operator shall consider the following and other factors in determining potential impacts to safety and reliability in applying this screen.

- (i) Whether the line section has significant minimum loading levels dominated by a small number of customers (*e.g.*, several large commercial customers).
- (ii) Whether the loading along the line section is uniform or even.
- (iii) Whether the proposed interconnection is located in close proximity to the substation (*i.e.*, less than 2.5 electrical circuit miles), and whether the line section from the substation to the Point of Common Coupling is a Mainline rated for normal and emergency ampacity.
- (iv) Whether the proposed interconnection reduces operational flexibility, such that transfer of the line section(s) of the Distributed Generation System or Microgrid to a neighboring distribution circuit/substation may trigger overloads or voltage issues.
- (v) Whether the proposed interconnection employs equipment or systems certified by recognized standards organization to address technical issues such as, but not limited to, Islanding, reverse power flow, or voltage quality.

D. If the proposed interconnection passes the supplemental screens in Section 4.04.C above, or if the proposed interconnection fails the screens, but the EPS Operator determines that it may nevertheless be interconnected consistent with safety, reliability, and power quality standards, the interconnection shall proceed as follows:

- (1) If the proposed interconnection passes the supplemental screens in Sections Section 4.04.C and does not require construction of facilities on the Electric Power System, the EPS Operator shall provide the Interconnection Customer an executed Interconnection Agreement at the time it provides the supplemental review results in accordance with the timeline in Section 4.04.C. If using the Simplified Process, the EPS Operator shall countersign the Simplified Interconnection Notification and Agreement and provide the fully executed interconnection agreement to the Interconnection Customer at the same time it provides the supplemental review results.
- (2) If the proposed interconnection requires only Minor System Modifications, the EPS Operator shall notify the Interconnection Customer of such requirement when it provides supplemental review

results. Within five (5) Business Days, the Interconnection Customer must inform the EPS Operator if the Interconnection Customer elects to continue. If the Interconnection Customer makes such an election, the EPS Operator shall provide an Interconnection Agreement, along with a non-binding good faith cost estimate and construction schedule for such upgrades, to the Interconnection Customer within fifteen (15) Business Days after the EPS Operator receives such an election.

- (3) If the proposed interconnection requires more than Minor System Modifications, the EPS Operator shall notify the Interconnection Customer of such requirement when it provides the supplemental review results. Within five (5) Business Days, the Interconnection Customer must inform the EPS Operator if the Interconnection Customer elects to proceed with the proposed interconnection. If the Interconnection Customer makes such an election, the EPS Operator may elect to (i) provide an Interconnection Agreement, along with a non-binding good faith cost estimate and construction schedule for such upgrades, within twenty (20) Business Days after the EPS Operator receives such an election or (ii) notify the Interconnection Customer that an interconnection facilities study must be performed pursuant to Section 5.05, and provide a facilities study agreement within ten (10) Business Days after the EPS Operator receives such an election.

- E. If the proposed interconnection fails the screens, and the EPS Operator does not or cannot determine that it may nevertheless be interconnected consistent with safety, reliability, and power quality standards unless the Interconnection Customer will consider minor modifications or further study, the EPS Operator shall provide the customer the option of commencing the Study Process in Article 5. If the Interconnection Customer wishes to proceed it shall notify the EPS Operator within fifteen (15) Business Days to retain its queue position.

ARTICLE 5. STUDY PROCESS

SECTION 5.01. Purpose

The Study Process shall be used by an Interconnection Customer proposing to interconnect with the EPS if the Interconnection Application (1) is not eligible for Fast Track Process, or (2) did not pass the Fast Track Process. The Study Process is not applicable to projects utilizing the Simplified Process.

SECTION 5.02. Scoping Meeting.

- A. The purpose of the scoping meeting is to discuss the Interconnection Application and review existing studies relevant to the Interconnection Application. The Parties shall further discuss whether the EPS Operator should perform feasibility study, or proceed directly to a system impact study or

studies, a facilities study, or an Interconnection Agreement. If the EPS Operator and Interconnection Customer determine there is no potential for adverse system impacts, the Interconnection Customer shall proceed directly to a facilities study or an executable Interconnection Agreement, as agreed to by the Parties

- B. A scoping meeting shall be held within fifteen (15) Business Days after the Interconnection Application is deemed complete and, if applicable, the Fast Track Process has been completed. The EPS Operator and the Interconnection Customer will bring the relevant personnel to the meeting, including system engineers and others that may be required to accomplish the purpose of the meeting.
- C. The scoping meeting may be waived by agreement of the Parties.

SECTION 5.03. Feasibility Study.

- A. A feasibility study shall be conducted only upon the request of the Interconnection Customer. The EPS Operator shall not require a feasibility study.
- B. If the EPS Operator determines a feasibility study is necessary, the EPS Operator shall perform a feasibility study, the EPS Operator shall provide the Interconnection Customer, as soon as possible, but not later than five (5) Business Days after the scoping meeting, a feasibility study agreement In the form proposed by the EPS Operator and approved by the Energy Bureau.
- C. If the scoping meeting is omitted but the Parties agree that the EPS Operator should conduct a feasibility study, the EPS Operator shall provide the Interconnection Customer a feasibility study agreement within ten (10) Business Days after the Interconnection Application is deemed complete and, if applicable, the Fast Track Process has been completed. If the Interconnection Customer decides not to proceed with the feasibility study the Interconnection Application will be considered withdrawn.
- D. The scope of and cost responsibilities for the feasibility study are described in the attached feasibility study agreement (~~Attachment X of the TIR~~ATTACHMENT 5). The feasibility study agreement shall specify that the Interconnection Customer is responsible for the actual cost of the feasibility study and require the Interconnection Customer to include with the signed agreement certain technical data identified in (~~ATTACHMENT A~~Attachment X of the TIR) to the Feasibility Study Agreement (~~ATTACHMENT 5~~Attachment X of the TIR). The EPS Operator will be required to make an upfront full payment of the cost of the study. A true up cost will be done at the end of the study.

- E. If an Interconnection Customer requests that the feasibility study evaluate multiple potential Points of Common Coupling, any additional evaluations shall be paid for by the Interconnection Customer.
- F. To remain in consideration for interconnection, an Interconnection Customer must return the executed feasibility study agreement and pay the required study deposit within five (5) Business Days.
- G. The feasibility study shall consider a base case,⁴ as well as all Distributed Generation Systems and Microgrids (and any identified Network Upgrades) that, on the date the study commenced: (i) are directly interconnected to the EPS; (ii) have a pending higher or lower queued Interconnection Application depending on the geographical location of the project; and (iii) have no Queue Position but have executed an Interconnection Agreement. The feasibility study will consist of a power flow and short circuit analysis. The feasibility study shall consider the proposed interconnection's Export Capacity, design, and operating characteristics and study the project according to how it is proposed to be operated if the proposed interconnection complies with Section 7.09, uses devices tested to national standards, or is approved by the EPS Operator.
- H. A feasibility study report shall be completed and transmitted to the Interconnection Customer within forty (40) Business Days after the feasibility study agreement is signed by the Parties. The feasibility study report shall identify any potential adverse system impacts that would result from the interconnection as proposed, including but not limited to:
 - (1) Initial identification of any circuit breaker short circuit capability limits exceeded as a result of the interconnection;
 - (2) Initial identification of any thermal overload or voltage limit violations resulting from the interconnection;
 - (3) Initial review of grounding requirements per IEEE C62.92.6 for inverter-based systems, and electric system protection; and
 - (4) Description and non-binding good faith estimated cost and construction schedule of facilities required to interconnect and to address the identified short circuit and power flow issues, including identification of potential increased expenses due to location, Distribution System assets, or other relevant factors. Good faith cost estimates provided in each instance should be itemized and break down costs by equipment, labor and other cost categories. They should

⁴ Base case means the power flow, short circuit, and stability data reflecting the current system conditions.

also provide the components for direct, indirect, and other identified cost categories .

- I. The EPS Operator may not require a system impact study when the feasibility study concludes there is no adverse system impact, or when the study identifies an adverse system impact, but the EPS Operator is able to identify a remedy without the need for a system impact study.

SECTION 5.04. System Impact Study.

- A. A system impact study shall identify and detail the incremental EPS impacts that would result if the proposed Distributed Generation System or Microgrid interconnected without project modifications or EPS modifications, and study potential impacts, including but not limited to those identified in the scoping meeting. A system impact study shall evaluate the impact of the proposed interconnection on the reliability of the EPS. This may include evaluation of impacts to portions of the EPS within the boundaries of a Microgrid. A system impact study shall consider all Generating Facilities and Microgrids (and any identified Network Upgrades) that, on the date the study commenced: (i) are directly interconnected to the EPS; (ii) have a pending higher queued Interconnection Application; and (iii) have no Queue Position but have executed an Interconnection Agreement. The system impact study shall consider the proposed interconnection's Export Capacity, design, and operating characteristics and study the project according to how it is proposed to be operated if the proposed interconnection complies with Section 7.09, uses devices tested to national standards, or is approved by the EPS Operator.
- B. The EPS Operator shall provide the Interconnection Customer a system impact study agreement ([Attachment X of the TIRTTACHMENT 6](#)) according to the following timeline:
 - (1) In tandem with the results of the Interconnection Customer's feasibility study.
 - (2) If the feasibility study is omitted, as soon as possible, but not later than five (5) Business Days after the scoping meeting.
 - (3) If the scoping meeting and feasibility study are omitted , within ten (10) Business Days after the Interconnection Application is deemed complete and, if applicable, the Fast Track Process has been completed.
- C. The system impact study agreement ([Attachment X of the TIRTTACHMENT 6](#)) shall include an outline of the scope of the study and a non-binding good faith estimate of the cost to perform the study. The scope of and cost responsibilities for a system impact study are described in the attached system impact study agreement. A deposit of the good faith estimated costs for each system impact

study shall be provided by the Interconnection Customer when it returns the study agreements.

- D. To remain in consideration for interconnection, an Interconnection Customer who has requested a system impact study must return the executed system impact study agreement and pay the required study deposit detailed in (~~Attachment X of the TRIT~~~~TACHMENT 6~~) within five (5) Business Days.
- E. A system impact study shall be completed and the results transmitted to the Interconnection Customer within forty-five (45) Business Days after the system impact study agreement is signed by the Parties. The system impact study report shall provide:
 - (1) The underlying assumptions of the study.
 - (2) A summary of the analyses.
 - (3) The results of the analyses, including detailed information on any impacts identified, the drivers and reasons for those impacts, including load, voltage, thermal and other limitations as well as the boundaries of the impacts to the extent possible.
 - (4) Identification of any equipment short circuit capability limits exceeded as a result of the interconnection and information regarding technical thresholds that drive modifications.
 - (5) Identification of any thermal overload or voltage limit violations resulting from the interconnection and information regarding technical thresholds that drive modifications.
 - (6) Identification of any instability or inadequately damped response to system disturbances resulting from the interconnection, and information regarding technical thresholds that drive modifications.
 - (7) Identification of any protection elements being de-sensitized and reduction in performance grounding as a result of the interconnection and information regarding technical thresholds that drive modifications.
 - (8) A non-binding construction schedule and good faith estimate of cost and time to construct any required distribution upgrades. Good faith cost estimates should be itemized and break down costs by equipment, labor and other cost categories. They should also provide the components for direct, indirect, and other identified cost categories.
- F. Where the system impact study shows potential for Transmission System adverse system impacts, within five (5) Business Days following the

identification of such impacts, the EPS Operator shall send the Interconnection Customer a Transmission System impact study agreement, including an outline of the scope of the study and a non-binding good faith estimate of the cost to perform the study.

- G. To remain in consideration for interconnection, an Interconnection Customer must return the executed Transmission System impact study agreement within fifteen (15) Business Days.
- H. A Transmission System impact study, if required, shall be completed within thirty (30) Business Days and the results transmitted to the Interconnection Customer after the Transmission System impact study agreement is signed by the Parties.

SECTION 5.05. Facilities Study

- A. The EPS Operator shall provide the Interconnection Customer a facilities study agreement according to the following timeline:
 - (1) In tandem with the results of the system impact study or, if required, Transmission System impact study.
 - (2) If no system impact studies are required and feasibility study is performed, in tandem with the results of the feasibility study.
 - (3) If no studies are performed, as soon as possible, but not later than five (5) Business Days after the scoping meeting.
 - (4) If the scoping meeting is omitted by agreement and no studies are performed, within ten (10) Business Days after the Interconnection Application is deemed complete and, if applicable, the Fast Track Process has been completed.
- B. The facilities study agreement shall come with an outline of the scope of the study and a non-binding good faith estimate of the cost to perform the facilities study. The scope of and cost responsibilities for the facilities study are described in the attached facilities study agreement. A deposit of the good faith estimated costs for the facilities study shall be provided by the Interconnection Customer when it returns the study agreement.
- C. To remain under consideration for interconnection, the Interconnection Customer must return the executed facilities study agreement and pay the required study deposit within ten (10) Business Days.
- D. The facilities study shall specify and estimate the cost of the equipment, permitting, engineering, procurement and construction work (including

overheads) needed to implement the conclusions of the system impact study(s).

- E. Design for any required Interconnection Facilities and/or Upgrades shall be performed under the facilities study agreement. The EPS Operator may contract with consultants to perform activities required under the facilities study agreement. The Interconnection Customer and the EPS Operator may agree to allow the Interconnection Customer to separately arrange for the design of some of the Interconnection Facilities. In such cases, facilities design will be reviewed and/or modified before acceptance by the EPS Operator, under the provisions of the facilities study agreement. If the Parties agree to separately arrange for design and construction, and provided security and confidentiality requirements can be met, the EPS Operator shall provide sufficient information to the Interconnection Customer in accordance with confidentiality and critical infrastructure requirements to permit the Interconnection Customer to obtain an independent design and cost estimate for any necessary facilities.
- F. The facilities study must be completed and provided to Interconnection Customer within Sixty (60) Business Days of receiving the executed facilities study agreement. The facilities study shall estimate the cost of the equipment, engineering, procurement and construction work, including overheads, needed to implement the conclusions of the interconnection feasibility study and the interconnection system impact study. Good faith cost estimates shall be itemized and break down costs by equipment, labor and other cost categories. They should also provide the components for direct, indirect, and other identified cost categories. The facilities study shall consider the proposed interconnection's Export Capacity, design and operating characteristics and study the project according to how it is proposed to be operated if the proposed interconnection complies with Section 7.09, uses devices tested to national standards, or is approved by the EPS Operator. The facilities study shall identify:
 - (1) The electrical switching configuration of the equipment, including transformer, switchgear, meters and other station equipment.
 - (2) The nature and estimated cost of the EPS Operator's interconnection facilities and upgrades necessary to accomplish the interconnection.
 - (3) A good faith estimate for the time required to complete the construction and installation of the facilities.
- G. Once the facilities study is completed, a draft facilities study report shall be prepared and transmitted to the Interconnection Customer. Upon request, the EPS Operator shall provide Interconnection Customer supporting documentation, workpapers, and databases or data developed to prepare the

facilities study, subject to confidentiality arrangements consistent with these Regulations and the facilities study agreement.

- H. Within three (3) Business Days of providing a draft Facilities Study Report to the Interconnection Customer, the EPS Operator and Interconnection Customer shall set up a mutually agreeable meeting date to discuss the results of the facilities study.
- I. Interconnection Customer may, within eight (8) Business Days after receipt of the draft report, provide written comments to the EPS Operator, which the EPS Operator shall include in the final report.
- J. The EPS Operator shall issue the final facilities study report and provide it to the Interconnection Customer within nine (9) Business Days of receiving Interconnection Customer's comments or within five (5) Business Days upon receiving Interconnection Customer's statement it will not provide comments.

ARTICLE 6. INTERCONNECTION AGREEMENT

SECTION 6.01. Simplified Process

For the Simplified Process, the Interconnection Customer will sign a interconnection agreement form at the time it submits its Interconnection Notification, and the EPS Operator will return a counter-signed interconnection agreement with the screen results.

SECTION 6.02. Fast Track and Study Process

- A. Except for microgrids above 5 MW as provided in Section 6.03, the EPS Operator shall provide the Interconnection Customer an executable Interconnection Agreement according to the following timeline:
 - (1) Within five (5) Business Days after completing the final facilities study report.
 - (2) If no facilities study is required, within five (5) Business Days after completing the system impact study or, if required, Transmission System impact study.
 - (3) If no facilities or system impact study is required, within five (5) Business Days after completing the feasibility study.
 - (4) If no feasibility, facilities, or system impact study is required, within fifteen (15) Business Days after the scoping meeting.
 - (5) If no feasibility, facilities-, or system impact study is required, and the scoping meeting is omitted by agreement, within ten (10) Business

Days after the Interconnection Application is deemed complete and, if applicable, the Fast Track Process has been completed.

- B. After receiving an Interconnection Agreement from the EPS Operator, the Interconnection Customer shall have thirty (30) Business Days to sign and return the Interconnection Agreement.
- C. The Interconnection Agreement must be signed by the Interconnection Customer and include a signed certification from a professional engineer that the interconnection meets the specifications established through regulations by the Energy Bureau and that the same was completed according to the laws, regulations, and rules applicable to interconnections.
- D. If the Interconnection Customer does not sign the Interconnection Agreement or request an extension pursuant to these Regulations, within thirty (30) Business Days, the Interconnection Application shall be deemed withdrawn.
- E. The EPS Operator shall provide the Interconnection Customer an executed Interconnection Agreement within five (5) Business Days after receiving a signed Interconnection Agreement from the Interconnection Customer.
- F. The EPS Operator shall install (if necessary) and configure any meters required for operation of the Distributed Generation System within twenty (20) working days after the Interconnection Customer signs the executed Interconnection Agreement, provided that the Interconnection Application included such a request,
- G. After the Interconnection Agreement is signed by the Parties, the interconnection of the Microgrid shall proceed under the provisions of the Interconnection Agreement, except to the extent these Regulations remain applicable, including, but not limited to, Section 7.03, Section 7.04, Section 7.08, and Article 8.

SECTION 6.03. Energy Bureau's Approval for Microgrids Above 5 MW

For Microgrids with an Export Capacity above 5 MW, after the Facilities Study has been completed according to Section 5.05, the Interconnection Customer or the EPS Operator shall submit the completed System Impact Study and Facility Study to the Energy Bureau for approval. If approved by the Energy Bureau, the EPS Operator shall issue the corresponding Interconnection Agreement in accordance with Section 6.02 as applicable.

ARTICLE 7. PROVISIONS THAT APPLY TO ALL INTERCONNECTION APPLICATIONS

SECTION 7.01. Time Frames and Extensions

- A. The EPS Operator shall make Reasonable Efforts to meet all time frames provided in these Regulations. If the EPS Operator cannot meet a deadline

provided herein, it shall notify the Interconnection Customer and the Energy Bureau, explain the reason for the failure to meet the deadline, and provide an estimated time by which it will complete the applicable interconnection procedure in the process.

- B. The Energy Bureau may fine the EPS Operator one thousand dollars (\$1,000) per day if it fails to comply with the time frames and other requirements of this Regulation. The Energy Bureau also maintains the authority to impose other applicable fines or administrative penalties to enforce its orders and regulations.
- C. For all applicable time frames described in this Regulation, the Interconnection Customer may request in writing one extension equivalent to half of the time originally allotted (*e.g.*, ten (10) Business Days for a twenty (20) Business Day original time frame). No further extensions shall be granted absent a Force Majeure Event or other similarly extraordinary circumstances.

SECTION 7.02. Non-Warranty

Neither by inspection, if any, or non-rejection, nor in any other way, does the EPS Operator give any warranty, expressed or implied, as to the adequacy, safety, or other characteristics of any structures, equipment, wires, appliances or devices owned, installed, or maintained by the Interconnection Customer or leased by the Interconnection Customer from third parties, including without limitation the Generation System and any structures, equipment, wires, appliances, or devices pertinent thereto.

SECTION 7.03. Commissioning, Inspection, Testing, Authorization

- A. The Interconnection Customer shall test and inspect its Distributed Generation System Microgrid, and Interconnection Facilities before interconnection in accordance with the commissioning tests required by IEEE 1547 or other applicable standard. Commissioning tests of the Interconnection Customer's installed equipment shall be performed pursuant to applicable codes and standards and the EPS Operator's Technical Interconnection Requirements approved by the Energy Bureau.
- B. The Interconnection Customer shall notify the EPS Operator of such activities at least ten (10) Business Days (or as agreed to by the Parties) before such testing and inspection. The Interconnection Customer shall send the notification electronically if the Cyber Portal is available. If the Cyber Portal is not available, the Interconnection Customer shall use a notification form provided by the EPS Operator, if such a form is posted on the EPS Operator's website. Testing and inspection shall occur on a Business Day. The EPS Operator may, at its own expense, send qualified personnel to the interconnection site to inspect the interconnection and observe the testing. The Interconnection Customer shall provide the EPS Operator a written test report within five (5) Business Days when such testing and inspection is completed.

- C. The EPS Operator shall provide the Interconnection Customer written acknowledgment it has received the Interconnection Customer's written test report within three (3) Business Days of its receipt. If no written acknowledgement is received by the Interconnection Customer within three (3) Business Days it shall be deemed accepted by the EPS Operator. Such written acknowledgment shall not be deemed to be or construed as any representation, assurance, guarantee, or warranty by the EPS Operator of the safety, durability, suitability, or reliability of the interconnection.
- D. For interconnections using the Simplified Process, the field inspection and testing process shall conform with, and not exceed, the following, instead of the requirements of Section 7.03 A, B, and C:
 - (1) The field inspection shall include verification that the installation matches the EPS Operator's evaluation of the design, including:
 - (2) Inverter model matches application;
 - (3) Certified inverter(s) is utilized;
 - (4) Correct labeling/signage;
 - (5) Installation matches application one-line (*i.e.*, connections, location of protection, disconnect switch, Metering, etc.);
 - (6) Electrical inspection sticker;
 - (7) Operational and protection settings;
 - (8) Field testing; and
 - (9) On-off testing shall be completed.

SECTION 7.04. Authorization Required Prior to Parallel Operation

- A. The EPS Operator shall use Reasonable Efforts to list applicable Parallel Operation requirements in an attachment to the Interconnection Agreement. Additionally, the EPS Operator shall notify the Interconnection Customer of any changes to these requirements as soon as they are known. The EPS Operator shall make Reasonable Efforts to cooperate with the Interconnection Customer in meeting requirements for the Interconnection Customer to commence Parallel Operations by the in-service date.
- B. The Interconnection Customer shall not operate its Distributed Generation System or Microgrid in Parallel with the EPS without prior written authorization of the EPS Operator. The EPS Operator will provide such authorization within three (3) Business Days from when the EPS Operator

receives notification that the Interconnection Customer has complied with all applicable Parallel Operation requirements. Such authorization shall not be unreasonably withheld, conditioned, or delayed.

- C. If the EPS Operator identifies a Distributed Generation System Operating in Parallel without an Interconnection Agreement, the EPS Operator may disconnect the Distributed Generation System.

SECTION 7.05. Confidentiality

- A. Each Party shall employ at least the same standard of care to protect Confidential Information obtained from the other Party as it employs to protect its own Confidential Information.
- B. Each Party may have equitable relief, by injunction or otherwise, to enforce its rights under this provision to prevent the release of Confidential Information without bond or proof of damages and may seek other remedies available at law or in equity for breach of this provision.

SECTION 7.06. Insurance

- A. The EPS Operator may only require an Interconnection Customer to purchase General Public Liability Insurance covering damages to the EPS Operator or PREPA, and then only in the following amounts:
- B. Up to one million dollars (\$1,000,000) per occurrence and up to one million dollars (\$1,000,000) in the aggregate if the Distributed Generation System or Microgrid's Export Capacity is greater than 300 kW;
- C. No insurance is required if the Distributed Generation System or Microgrid's Export Capacity is less than or equal to 300 kW.

SECTION 7.07. Comparability

The EPS Operator shall receive, process and analyze all Interconnection Applications as set forth in this Regulation. The EPS Operator shall use the same Reasonable Efforts in processing and analyzing Interconnection Applications from all Interconnection Customers, whether the proposed interconnection is owned or operated by the EPS Operator, PREPA, their subsidiaries or affiliates, or others.

SECTION 7.08. Design, Procurement, Installation and Construction of Interconnection Facilities and Upgrades

- A. The Interconnection Customer shall pay for the cost of the Interconnection Facilities and Distribution Upgrades as described and itemized pursuant to the Interconnection Agreement and its attachments.

- B. If Network Upgrades are required, the actual cost of the Network Upgrades, including overheads, shall be borne initially by the Interconnection Customer; provided, however, that the Interconnection Customer may have a cash repayment pursuant to the Interconnection Agreement. As stated in the Interconnection Agreement, the EPS Operator shall provide a best estimate cost, including overheads, for the purchase and construction of the Interconnection Facilities, Distribution Upgrades, and Network Upgrades, and provide a detailed itemization of such costs (i.e. the estimates shall break out the materials, labor and other costs for major components of the Upgrades).
- C. The Interconnection Customer and the EPS Operator shall agree on milestones for which each Party is responsible and list them in an attachment to the Interconnection Agreement. To the greatest extent possible, the Parties will identify all design, procurement, installation and construction requirements associated with a project, and clear associated timelines, at the beginning of the design, procurement, installation and construction phase, or as early within the process as possible. All timelines shall comport with industry best practices. In addition, whenever possible to capture additional efficiency, the EPS Operator will rely on template designs applicable to certain types of interconnections. These templates shall be publicly available on the EPS Operator's web site and/or provided directly to any interested entity upon request.
- D. Party's obligations under this provision may be extended by agreement. If a Party anticipates that it will be unable to meet a milestone for any reason other than a Force Majeure Event, it shall immediately notify the other Party of the reason(s) for not meeting the milestone and (1) propose the earliest reasonable alternate date by which it can attain this and future milestones, and (2) request appropriate amendments to the Interconnection Agreement and its attachments. The Party affected by the failure to meet a milestone shall not unreasonably withhold agreement to such an amendment unless (1) it will suffer significant uncompensated economic or operational harm from the delay, (2) attainment of the same milestone has previously been delayed, or (3) it has reason to believe that the delay in meeting the milestone is intentional or unwarranted notwithstanding the circumstances explained by the Party proposing the amendment. If the Party affected by the failure to meet a milestone disputes the proposed extension, the affected Party may pursue dispute resolution pursuant to Article 10 of this Regulation.
- E. At least twenty (20) Business Days before the commencement of the design, procurement, installation, or construction of a discrete portion of the EPS Operator's Interconnection Facilities and Upgrades, the Interconnection Customer shall provide the EPS Operator, at the Interconnection Customer's option, a guarantee, a surety bond, letter of credit or other form of security reasonably acceptable to the EPS Operator and is consistent with the Puerto Rico Uniform Commercial Code. Such security for payment shall be in an amount sufficient to cover the costs for constructing, designing, procuring, and

installing the portion of the EPS Operator's Interconnection Facilities and Upgrades and shall be reduced on a dollar-for-dollar basis for payments made to the EPS Operator under the Interconnection Agreement during its term. In addition:

- (1) The guarantee must be made by an entity that meets the creditworthiness requirements of the EPS Operator and contain terms and conditions that guarantee payment of any amount that may be due from the Interconnection Customer, up to an agreed-to maximum amount.
 - (2) The letter of credit or surety bond must be issued by a financial institution or insurer reasonably acceptable to the EPS Operator and must specify a reasonable expiration date.
- F. The EPS Operator shall bill the Interconnection Customer for the design, engineering, construction, and procurement costs of Interconnection Facilities and Upgrades described in the Interconnection Agreement monthly, or as otherwise agreed by the Parties in the Interconnection Agreement. The Interconnection Customer shall pay each bill within twenty (20) Business Days of receipt, or as otherwise agreed to by the Parties in the Interconnection Agreement.
- G. Within three (3) months of completing the construction and installation of the EPS Operator's Interconnection Facilities and/or Upgrades described in the Interconnection Agreement and its attachments, the EPS Operator shall provide the Interconnection Customer with a final accounting report of any difference between (1) the Interconnection Customer's cost responsibility for the actual cost of such facilities or Upgrades, and (2) the Interconnection Customer's previous aggregate payments to the EPS Operator for such facilities or Upgrades. If the Interconnection Customer's cost responsibility exceeds its previous aggregate payments, the EPS Operator shall invoice the Interconnection Customer for the amount due and the Interconnection Customer shall pay to the EPS Operator within twenty (20) Business Days. If the Interconnection Customer's previous aggregate payments exceed its cost responsibility under the Interconnection Agreement, the EPS Operator shall refund to the Interconnection Customer an amount equal to the difference within twenty (20) Business Days of the final accounting report.

SECTION 7.09. Export Capacity of a Distributed Generation System or Microgrid

- A. The technical specifications in this Section 7.09 are intended to identify acceptable Export Control methods to facilitate the interconnection and Parallel Operation of Limited-Export and Non-Export Generating Facilities and Microgrids with the EPS.

If a Distributed Generation System or Microgrid uses any configuration or operating mode in this Section 7.09, to limit the export of electrical power across the Point of Common Coupling, then the Export Capacity shall be only the amount capable of being exported (not including any Inadvertent Export). To prevent impacts on system safety and reliability, any Inadvertent Export must comply with the limits identified in this section. The Export Capacity specified in the Interconnection Application will be included as a limitation in the Interconnection Agreement. An Interconnection Customer seeking to interconnect using the operating modes under this Section 7.09 shall submit proposed control and/or protection settings in their Interconnection Application for review by the EPS Operator to verify compliance with the requirements of this Section.

B. The export controls identified in this subsection are for Non-Exporting systems only.

- (1) Reverse Power Protection: To limit export of power across the Point of Common Coupling, a reverse power protective function is implemented using a utility grade protective relay. The default setting for this protective function shall be 0.1% (export) of the Interconnection Transformer's nominal base Nameplate Rating, with a maximum 2.0 second time delay to limit Inadvertent Export.
- (2) Minimum Power Protection: To limit export of power across the Point of Common Coupling, a minimum import protective function is implemented utilizing a utility grade protective relay. The default setting for this protective function shall be 5% (import) of the generating unit's total Nameplate Rating, with a maximum 2.0 second time delay to limit Inadvertent Export.
- (3) Relative Distributed Generation System Rating: This option requires the Distributed Generation System or Microgrid's Nameplate Rating to be so small compared to the minimum Host Load that using additional protective functions does not have to ensure that power will not be exported to the EPS. This option requires the Distributed Generation System or Microgrid's Nameplate Rating be no greater than 50% of the verifiable minimum Host Load over the past 12 months.

For Generating Facilities or Microgrids with a Nameplate Rating above 250 kW, the EPS Operator may require additional assurances, equipment or agreements based upon evaluation of the stability and reliability of the minimum Host Load data.

C. The export controls identified in in this subsections are for Limited Export systems only.

- (1) **Directional Power Protection:** To limit export of power across the Point of Common Coupling, a directional power protective function is implemented using a utility grade protective relay. The default setting for this protective function shall be the Export Capacity value, with a maximum 2.0 second time delay to limit Inadvertent Export.
 - (2) **Configured Power Rating:** A reduced output active or apparent power rating utilizing the power rating configuration setting may be used to ensure the Distributed Generation System or Microgrid does not generate power beyond a certain value lower than the Nameplate Rating. The reduced power rating shall be indicated with a Nameplate Rating replacement, or by a supplemental adhesive Nameplate Rating tag to indicate the reduced Nameplate Rating. At the discretion of the EPS Operator, the applicant may additionally be required to provide a letter from the manufacturer confirming the reduced Nameplate Rating.
- D. The export controls identified in this subsection are for either Non-Export or Limited Export systems.
- (1) **Power Control Systems:** This option is not available for interconnections to Networked Secondary Systems. A Distributed Generation System or Microgrid may utilize a NRTL certified Power Control System⁵ and inverter system with a maximum open loop response time of no more than 30 seconds. Failure of the control or inverter system resulting from abnormal conditions must result in the Distributed Generation System or Microgrid entering an operational mode where no energy is exported across the Point of Common Coupling to the EPS.

If a Distributed Generation System or Microgrid with a Nameplate Rating greater than 1 MW uses an NRTL certified Power Control System, the EPS Operator and the Interconnection Customer must mutually agree on an acceptable open loop response time.
 - (2) **Limited Export Using Mutually Agreed-Upon Means:** Generating Facilities or Microgrids may be designed with other control systems and/or protective functions to limit export and Inadvertent Export by agreement between the EPS Operator and the Interconnection Customers. The limits may be based on technical limitations of the Interconnection Customer's equipment or EPS equipment. To ensure Inadvertent Export remains within mutually agreed-upon limits, the Interconnection Customer may use an uncertified Power Control

⁵ NRTL testing to the UL Power Control System Certification Requirements Decision shall be accepted until similar test procedures for Power Control Systems are included in a standard.

System, an internal transfer relay, energy management system, or other customer facility hardware or software if approved by the EPS Operator.

- E. If the Interconnection Application proposes to limit export pursuant to this Section 7.09, the Fast Track screens, and feasibility, system impact, and transmission studies shall study the project according to how it intends to operate. When performing these studies, the EPS Operator:
- (1) Shall consider the proposed design, operating characteristics, Export Capacity, and Operating Profile found in the Interconnection Application.
 - (2) Shall use the Export Capacity unless assessing fault current contribution, when the use of the Nameplate Rating may be appropriate. The EPS Operator may use Export Capacity when assessing fault current contribution if the Interconnection Customer demonstrates that fault currents are controlled by some means. The Fast Track screens identify when it is appropriate to use Export Capacity or Nameplate Rating.

ARTICLE 8. TECHNICAL REQUIREMENTS

SECTION 8.01. General Technical Requirements

The EPS Operator ~~shall will~~ develop and maintain Technical Interconnection Requirements consistent with the requirements of this Regulation, which shall be submitted to the Energy Bureau for the Energy Bureau's review and approval ~~within thirty (30) Business Days from approval of this Regulation, and shall not become effective unless approved by Resolution and Order of the Energy Bureau.~~

In addition, The the Technical Interconnection Requirements may be amended by the EPS Operator from time to time provided that any such amendment shall not become effective unless and until approved by the Energy Bureau through a Resolution and Order ~~these changes are consistent with the requirements of this Regulation and the EPS Operator submits such amendments to the Energy Bureau for review and approval.~~

- A. The technical requirements apply to Distributed Generation Systems and Microgrids when designed to operate in Parallel and shall be met at the Point of Common Coupling.
- B. The technical requirements are established in accordance with standards from IEEE, UL and ANSI, as applicable for the interconnection of Distributed Generation Systems and Microgrids to the EPS. Compliance with these requirements is intended to prevent the Distributed Generation System or Microgrid from causing adverse effects to the EPS such that it may have to be disconnected due to unsafe operating conditions.

- C. This regulation incorporates IEEE Std 1547-2018. Where conflicts exist between IEEE Std 1547-2018 and this regulation, this Regulation and the Technical Interconnection Requirements approved by the Energy Bureau shall govern~~the TIR or this regulation shall take precedence.~~
- D. A Distributed Generation System interconnecting to the Distribution System ~~must interconnect~~must interconnect through an Interconnection Transformer. A direct interconnection to the Distribution System without a transformer is not permitted.
- E. For Microgrids, the technical requirements ~~Section 6.03~~Section 6.05~~Section 6.06~~ may be satisfied by the individual Distributed Generation Systems within the Microgrid, by other Microgrid equipment, or by coordination between Generating Facilities and other Microgrid equipment.
- F. For further information regarding these interconnection requirements, see the TIR approved by the Energy Bureau.

SECTION 8.02. Approval of Use of Certified Equipment

- A. All equipment that forms part of a Distributed Generation System based on renewable energy sources must be approved by the Public Energy Policy Program (“PEPP”), of the Department of Economic Development and Commerce (“DEDC”) including, but not limited to, photovoltaic modules, wind turbines, synchronous generators, induction generators, inverters and control systems. PEPP must certify that the inverters and control systems that interconnect the renewable energy sources with the electrical network comply with the applicable standards. The list of equipment and components certified by the PEPP is available on the Energy Bureau's website (<http://energia.pr.gov>).
- B. The EPS Operator allows the use of equipment with inverter technology, generators, relays and other devices that comply with applicable standards and codes. These have to be evaluated and approved by the EPS Operator.
- C. The EPS Operator has a list of approved inverters and control systems periodically updated, which is made available on the DG Portal website. The EPS Operator shall keep this list updated annually. The first review and update shall occur no later than 30 Business Days after the approval of this Rule. The EPS Operator shall issue a notice to customers that all inverters and control equipment must be approved by the EPS Operator in order to connect to the grid.
- D. If the equipment has not been evaluated and approved by the EPS Operator, it may request that the manufacturer, distributor or owner send to the EPS Operator, in digital file in PDF format, documents certifying that the inverter complies with the following:

- (1) Are certified by a Nationally Recognized Testing Laboratory. This ensures that they meet the acceptance criteria of the tests required in the IEEE 1547 or UL 1741 standard and its Supplements, as applicable, for equipment that operates continuously in parallel with the systems of the electricity companies.
- (2) Comply with the permitted harmonic content distortion limits, according to the IEEE 1547-2018 standard and other applicable ones.
- (3) Comply with the Voltage Flicker limits, depending on the IEEE 1547-2018 standard and other applicable.
- (4) Comply with these regulations. Should any conflict arise with other standards, these regulations will prevail.
- (5) Have the ability to Operate in Parallel with the EPS.
- (6) Have the ability to adjust in the field of frequency, voltage and operating times.

E. For further information regarding these interconnection requirement, see the TIR.

ARTICLE 9. NET ENERGY METERING

SECTION 9.01. Participation in Net Metering Programs

- A. A Distributed Generation System ~~or Microgrid~~ fueled by Renewable Energy Sources may participate in net metering if it is:
 - (1) Not more one (1) MW for commercial, governmental, industrial or agricultural customers, or educational institutions or medical-hospital facilities connected to distribution voltages (up to 13.2kW); and
 - (2) Not more than five (5) MW for commercial, governmental, industrial, or agricultural customers, or educational institutions or medical-hospital facilities connected to subtransmission or transmission voltages (38kW or 115kW).
- B. An Interconnection Customer that meets these requirements may participate in net metering if the Simplified Interconnection Notification or Interconnection Application includes a request to participate in one of the following Net Metering Programs: the Basic Net Metering Program, the Aggregate Net Metering Program and the Shared Net Metering Program.
- C. **Energy Storage Paired with Net Metering Systems**
 - (1) While an Energy Storage device may be paired with a Net Metering System, an Energy Storage device standing alone does not qualify as a Net Metering System.
 - (2) When an Energy Storage Device is paired with a Net Metering System, the Distributed Generation System or shall be programmed with one or both of the following operating restrictions:

- (i) Restricted from exporting electricity to the Electric Power System, beyond Inadvertent Export, and/or
 - (ii) Restricted to being charged solely from the customer's Net Metering System and not from the Electric Power System.
- (3) An election to operate an Energy Storage Device with an operating restriction shall be identified in the Application, including a description of the operating restriction.
- (4) A signed attestation of the operating restriction shall be provided by the Operator of the Energy Storage Device.
- (5) The customer may propose to modify the operating restriction by submitting a revised attestation to the EPS Operator. The EPS Operator must approve the proposed revision in writing; approval shall not be unreasonably withheld or delayed.

SECTION 9.02. Basic Net Metering Program

- A. In the Basic Net Metering Program, a Distributed Generation System connected to the Distribution System shall have a maximum installed AC capacity of twenty-five (25) kW for residential customers and one (1) MW for commercial, governmental, industrial, agricultural, educational institutions and hospital medical facilities. Generating Facilities connected to the subtransmission or transmission systems shall have a maximum installed AC capacity of 5 MW for commercial customers, governmental, industrial, agricultural, educational institutions and hospital medical facilities.
- B. Net metering for a Distributed Generation System whose maximum installed AC power capacity does not exceed twenty-five (25) kW shall be reflected in the customer's monthly bill not later than thirty (30) days after the receipt of notice of their certification of the distributed generator installed by a professional engineer or expert electrician.

SECTION 9.03. Aggregate Net Metering Program

- A. The Aggregate Net Metering Program applies only to governmental Entities and non-profit academic institutions.
- B. For customers with service on distribution voltages, the maximum installed AC capacity of the Distributed Generation System must be 1 MW. For customers with service on transmission or subtransmission voltages, the maximum installed AC capacity of the Distributed Generation System must be 5 MW.
- C. All locations with service agreements that take advantage of this program must be included in the same account.

- D. The locations may be interconnected to primary distribution, secondary distribution, subtransmission, or transmission systems. However, all participating locations must receive service at the same voltage level.
- E. The service agreements to which the energy is to be accredited must be (1) within the same location where the Distributed Generation System is installed or (2) in other locations interconnected to the same power line at a distance not greater than two miles from the Distributed Generation System.
- F. The Agreement to interconnect the Distributed Generation System and participate in this program will be effective thirty (30) days after the first rate revisions established in Law 57, as amended.

SECTION 9.04. Shared Net Metering Program

- A. The Shared Net Metering Program applies exclusively to residential and commercial customers with primary and secondary voltage distribution services under the horizontal property regime, such as residential, commercial or mixed-use condominiums. This Program also applies to public housing managed by the Department of Housing.
- B. The location of the service agreements to which the energy is to be accredited must be within the same location where the Distributed Generation System is installed.
- C. All service agreements must be serviced from the same point of delivery to which the Distributed Generation System is interconnected. The point of delivery can be the interconnection transformer in secondary distribution systems or the private substation in primary distribution systems.
- D. For residential cases, the maximum capacity of the Generation Facility is 25 kW per participating customer or the capacity of the Interconnection Transformer, whatever smaller, up to a maximum of 1 MW.
- E. For commercial or mixed use cases, the maximum capacity of the Distributed Generation System is the same as the capacity of the Interconnection Transformer, up to a maximum of 1 MW.
- F. As required by these regulations, the owner of the Distributed Generation System must sign an Interconnection Agreement with the EPS Operator and Participate in the Net Metering Program. The owner of the Distributed Generation System can be the Board of Owners, the Owners Association, the owner of the building or any natural or legal entity with similar functions.
- G. Each participating customer that is not the owner of the Distributed Generation System must sign an Agreement for Participation in the Shared Net Metering Program (see Attachment [X of the TIR-9](#)).

~~H. The Agreement to interconnect the DG and participate in this program will be effective thirty days after the entry into force of the first tariff revision established in Law 57, supra, as amended.~~

SECTION 9.05. Energy Compensation for Customers that Participate in the Net Metering Programs

Energy exported by the customer shall be compensated as described below; except in those cases in which any federal law or regulation expressly and specifically orders otherwise:

- A. Energy compensation will be effective at the beginning of the billing period after the installation or configuration of the meter, and no later than 30 days after the installation or configuration of the meter.
- B. For each billing period, the EPS Operator will measure the energy that the customer consumes from and the energy that the customer exports to the EPS.
- C. If during a billing period, the EPS Operator supplies the customer more energy than the customer exports, the customer will be charged for their Net Consumption.
- D. If during a billing period, the customer exports more energy than supplied by the EPS Operator, the customer will be charged the minimum invoice amount corresponding to the rate at which the service is being received. The minimum invoice is the amount that the EPS Operator charges a customer who does not consume electricity during a billing period. The EPS Operator shall register an excess in exported energy during any billing period up to a daily maximum of 300 kWh for residential customers and 10 MWh for commercial customers connected to the Distribution System. For customers connected to the Transmission System, any excess in exported energy during a billing period will be registered up to a daily maximum of 50 MWh. The excess in exported energy will be carried over to the invoice for the next billing period.
- E. Any excess in exported energy, that the customer accumulates during the year and that has not been used by the close of the June billing period of each year, will be compensated as described below:
 - (1) The EPS Operator shall use the greater of (a) ten cents per kilowatt-hour or (b) the price per kilowatt-hour that results from converting the average of the total price charged to customers throughout the year and subtracting the average of the fuel and power purchase adjustments.
 - (2) The customer will receive a credit on their monthly bill equal to 75% of the surplus energy and the remaining 25% of the surplus energy will be credited to the power bill of the Department of Education.

- F. For customers who participate in the Aggregate Net Metering Program, besides paragraphs A to E of this Section, the following applies:
- (1) Service agreements at the same location: The maximum amount of energy to be credited to all participating service agreements at the location where the Distributed Generation System is installed may be up to 100% of the consumption of all the service agreements. This energy will be credited first to the service agreement associated with the Distributed Generation System and the excess will be credited equally to the rest of the service agreements on the same account.
 - (2) Service agreements at different locations: The maximum amount of energy to be credited to all participating service agreements may be up to 120% of the consumption of the service agreements at the location where the Distributed Generation System is installed. This energy will be credited first to the service agreement associated with the Distributed Generation System and the excess will be credited equally to the rest of the service agreements, up to 100% of the consumption of the service agreements within the location where the Distributed Generation System is installed and the remaining 20% of the energy production will be credited equally to the service agreements in the other locations on the same account.
- G. For customers participating in the Shared Net Metering Program, besides the provisions of paragraphs A to E of this Section, 100% of the energy produced by the Distributed Generation System will be credited equally among all participants of this program.

ARTICLE 10. DISPUTE RESOLUTION

- A. The Parties agree to attempt to resolve all disputes arising out of the interconnection process and associated studies and Interconnection Agreements according to this Article.
- B. If a dispute occurs, the disputing Party shall provide the other Party a written Notice of Dispute containing the relevant known facts pertaining to the dispute, the specific dispute and the relief sought, and express notice by the disputing Party it is invoking the procedures under this Article. The notice shall be sent to the non-disputing Party's email address and physical address in the Interconnection Agreement or Interconnection Application, if there is no Interconnection Agreement. A copy of the notice shall also be sent to the Interconnection Ombudsperson at the Energy Bureau.

The non-disputing Party shall acknowledge the notice within three (3) Business Days of its receipt and identify a representative with the authority to decide for the non-disputing Party regarding the dispute.

- C. If the dispute is principally related to one or both Parties' compliance with timelines specified in these Regulations or associated agreements, the Parties shall seek assistance from the Interconnection Ombudsperson if the Parties cannot mutually resolve the dispute within eight (8) Business Days.
- D. If the dispute is not principally about one or both Parties' compliance with a timeline, then the non-disputing Party shall provide the disputing Party with all relevant regulatory and/or technical details and analysis regarding any interconnection requirements under dispute within ten (10) Business Days of the date of the notice of dispute. The confidentiality provisions of Section 7.05 apply here. Within twenty (20) Business Days of the date of the notice of dispute, the Parties' authorized representatives will have to meet and confer to try to resolve the dispute. Parties shall operate in good faith and use best efforts to resolve the dispute.
- E. If a resolution is not reached in thirty (30) Business Days from the date of the notice, either:
 - (1) A Party may request to continue negotiations for an additional twenty (20) Business Days;
 - (2) The Parties may by agreement make a written request for mediation to the Interconnection Ombudsperson; or
 - (3) Both Parties by agreement may request mediation from an outside third-party mediator with costs to be shared equally between the Parties.
- F. If the results of the mediation are not accepted by one or more Parties and there is still disagreement, the dispute shall proceed to the Energy Bureau's process for reconsideration in accordance with Article 13.
- G. At any time, either Party may request reconsideration by the Energy Bureau in accordance with Article 13.

ARTICLE 11. PENALTIES

- A. Anyone who infringes this Regulation or who alters all or part the EPS or an electric installation in a manner such that the operation of a Distributed Generation System or Microgrid cannot be accurately monitored including, but not limited to, its bi-directional energy flow shall be penalized by the EPS Operator and/or Energy Bureau with the corresponding administrative sanctions and penalties established in Act 83-1941 and Act 57-2014 and the regulations adopted pursuant to the same.
- B. The EPS Operator is authorized to investigate matters regarding the interconnection of Microgrids with the EG, including the veracity of the

information stated in the certifications, inspection reports and any other documents filed with the EPS Operator under this Regulation and can take the appropriate actions (administrative and judicial) authorized by laws.

- C. If the EPS Operator and/or Energy Bureau, as applicable, determines that a Distributed Generation System or Microgrid was interconnected in violation of applicable legal provisions, or detects any irregularity, deficiency, omission or fraud in the certifications filed, the EPS Operator and/or Energy Bureau, as applicable, may impose the administrative sanctions established in Act 83-1941 and Act 57-2014, to the professional responsible of such violation and to refer the professional to the pertinent professional association, to the Public Energy Policy Program of the Department of Economic Development and Commerce for the corresponding disciplinary action.

ARTICLE 12. PUBLIC REPORTING AND RECORD RETENTION

SECTION 12.01. Public Queue

The EPS Operator shall maintain a public interconnection queue pursuant to Section 2.08 on its website in a tabular format, *i.e.*, a sortable spreadsheet, which it shall update on at least a monthly basis. The date of the most recent update shall be clearly indicated. The public queue should include, at a minimum, the following information about each Interconnection Application, where available:

- A. Queue Position, *i.e.*, queue number
- B. Nameplate Rating
- C. Export Capacity
- D. Primary fuel type (*e.g.*, solar, wind, bio-gas, etc.)
- E. Secondary fuel type (if applicable)
- F. Exporting or Non-Exporting
- G. City
- H. Zip code
- I. Substation
- J. Feeder
- K. Status (active, withdrawn, interconnected, etc.)
- L. Date application deemed complete

- M. Date of notification of Fast Track screen results, if applicable
- N. Fast Track Screen results, if applicable (pass or fail, and if fail, identify the screens failed)
- O. Date of notification of supplemental review results, if applicable
- P. Supplemental review results, if applicable (pass or fail, and if fail, identify the screens failed)
- Q. Date of notification of feasibility study results, if applicable.
- R. Date of notification of system impact study results, if applicable
- S. Date of notification of Transmission System impact study results, if applicable
- T. Date of notification of Facilities Study results and/or construction estimates, if applicable
- U. If upgrades were needed, the estimated and final cost of the upgrades

SECTION 12.02. BiAnnual Interconnection Report

After the approval of this Regulation, the EPS Operator shall include the following information as part of its Interconnection Progress Reports as filed in Docket No. NEPR-MI-2019-0016:

- A. The number, Nameplate Rating, and Export Capacity of, completed Interconnection Applications for Generating Facilities and Microgrids received, approved, studied, installed, withdrawn, and denied under the Simplified Process, the Fast Track Process, and the Study Process.
- B. The fuel type, number, Nameplate Rating, and Export Capacity of Generation Facilities and Microgrids approved for interconnection.
- C. The fuel type, number, Nameplate Rating, and Export Capacity of all Generation Facilities and Microgrids currently interconnected to the EPS.
- D. A narrative description of the data provided, including any trends identified by the EPS Operator.
- E. Fees collected under the Simplified Process, the Fast Track Process, and the Study Process.
- F. The underlying data in tabular format, *i.e.*, a searchable spreadsheet.

SECTION 12.03. Record Retention

- A. The EPS Operator shall maintain the records and reports specified in this Article for at least five years.
- B. The EPS Operator shall retain copies of studies it performs to determine the feasibility of, Distribution system impacts of, Transmission System impacts of, or facilities required by a proposed interconnection.

ARTICLE 13. RECONSIDERATION AND JUDICIAL REVIEW

SECTION 13.01. Reconsideration

- A. Any person who is not satisfied with a decision made by the EPS Operator under this Regulation may first follow the process identified in Article 10, or may file, within the term of twenty (20) days from the date copy of the notice of such decision is filed by the Energy Bureau's Clerk, a request for reconsideration before the Energy Bureau wherein the petitioner sets forth in detail the grounds that support the request and the decisions that, in the opinion of the petitioner, the Energy Bureau should reconsider.
- B. Any person who is not satisfied with a decision made by the Energy Bureau under this Regulation may file, within the term of twenty (20) days from the date copy of the notice of such decision is filed by the Energy Bureau's Clerk, a request for reconsideration before the Energy Bureau wherein the petitioner sets forth in detail the grounds that support the request and the decisions that, in the opinion of the petitioner, the Energy Bureau should reconsider.

SECTION 13.02. Administrative Review

Any person who is not satisfied with a decision made by the EPS Operator under this Regulation may file, within the term of twenty (20) days from the date copy of the notice of such decision is issued and notified by the EPS Operator, a request for review before the Energy Bureau, pursuant to the provisions of Act 57-2014 and Regulation 8543.

SECTION 13.03. Judicial Review

Any person dissatisfied with a final decision of the Energy Bureau under this Regulation may, within thirty (30) days from the date copy of notice of a final decision addressing a request for reconsideration is filed by the Energy Bureau's Clerk, or within thirty (30) days from the date a copy of the notice of an Energy Bureau final decision is filed by the Energy Bureau's Clerk, if a request for reconsideration has not been filed, appear before the Puerto Rico Court of Appeals by way of writ of judicial review.

Preliminary Draft