

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

NEPR

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IN RE:

THE PERFORMANCE OF THE PUERTO
RICO ELECTRIC POWER AUTHORITY

CASE NO.: NEPR-MI-2019-0007

Subject: Motion to Submit Quarterly Report and
to Comply with Resolution and Orders Issued on
March 16, 2026, and April 2, 2026

**MOTION TO SUBMIT QUARTERLY REPORT AND TO COMPLY WITH
RESOLUTION AND ORDERS ISSUED ON MARCH 16, 2026, AND APRIL 2, 2026**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC ("Genera"), as agent of the Puerto Rico Electric Power Authority ("PREPA"),¹ through its counsels of record, and respectfully submits and prays as follows:

1. On May 14, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order titled *PREPA Performance Reporting Requirements* ("*May 14th Resolution*") through which it determined that it would be in the public interest to begin as soon as possible PREPA's data gathering process to help the Energy Bureau and the stakeholders in developing measures, metrics, and targets, and to provide useful information for developing incentive and penalty mechanisms. The *May 14th Resolution* required PREPA to provide quarterly reports of key performance metrics/indicators, beginning September 15, 2019.

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* ("LGA OMA"), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority ("P3 Authority"), Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

2. Genera, in its capacity as Operator of the Thermal Generation Facilities pursuant to the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement (“LGA OMA”), began reporting on generation data in this docket starting in Fiscal Year 2024 (“FY2024”).

3. On December 19, 2025, the Energy Bureau issued a Resolution and Order titled *Genera and LUMA’s October 20th, November 3rd and November 20th Motions; Requirement to Submit Supporting Workpapers and Data* (“December 19th Resolution”). The Energy Bureau ordered LUMA² and Genera to submit the underlying data and supporting workpaper for the metrics listed in Attachment A for FY2025 within thirty (30) days and at the frequency (annually or quarterly) specified therein. Additionally, the Energy Bureau summarized the performance incentive metrics for which Genera is able to earn incentives per the LGA OMA, stated its intent to align Genera’s quarterly reporting with the incentive metrics in the LGA OMA and ordered Genera to submit historical monthly data for each performance metric listed in Table 1 of the Order. The Energy Bureau also directed Genera to indicate for each metric whether it currently reports on it in the quarterly reports in this proceeding and if so, how the methodology differs between what Genera reports in this proceeding versus how it would calculate its performance for the incentive calculation.

4. On January 27, 2026, Genera submitted a Motion titled *Motion in Compliance with Resolutions and Orders Dated December 19, 2025, and January 9, 2026*. Genera submitted several exhibits with underlying data and supporting workpapers (“Genera’s January 2026 Submission”).

5. On March 16, 2026, the Energy Bureau issued a Resolution and Order (“March 16th Resolution”) in which it determined *Genera’s January 2026 Submission* did not fully meet the requirements of the *December 19th Resolution* and ordered Genera to resubmit FY2025 supporting

² LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred to as “LUMA”).

data and workpapers and to respond to several Requirements of Information. The Energy Bureau also determined that starting with the FY 2026 Q3 Report, Genera must submit its own quarterly performance metric submission separately from LUMA.

6. On March 26, 2026, Genera filed a *Motion in Compliance with Resolution and Order of March 16, 2026 and Request for Limited Extension as to Remaining Heat Rate Support* (“*March 26th Motion*”), to comply with the directives set forth in the referenced Resolution.

7. On April 2, 2026, the Energy Bureau issued a Resolution and Order (“*April 2nd Resolution*”) whereby, among others, it issued a new Generation quarterly data reporting template for Genera, attached thereto as Attachment B, to be used beginning with the FY2026 Q3 submission due on or before April 20, 2026, and for all future quarterly report submissions. In its *April 2nd Resolution*, the Energy Bureau stated its intention to use this docket to collect additional information on areas of Genera's performance that have a direct impact on the incentives that Genera will receive per its LGA OMA. To that end, the Resolution's stated purposes include: (i) aligning the definition of the metrics Genera currently reports with the performance incentive metrics in the LGA OMA; (ii) adding Genera performance incentive metrics not currently being reported to the reporting template, and ordering Genera to report data for those metrics from when it took over operations until the present; and (iii) requiring Genera to submit its quarterly performance metric submission separately from LUMA for all subsequent quarterly reports, consistent with the Energy Bureau's prior determination in the *March 16th Resolution* that, beginning with the FY2026 Q3 Report, Genera must submit its own data, workpapers, and motion separately from LUMA.

8. In compliance with the *March 16th Resolution* and *April 2nd Resolution*, Genera submits its own quarterly performance metric submission for Q4 FY2026 separately from LUMA as **Exhibit 1** to this Motion.

9. Genera respectfully clarifies the following with respect to certain sections of the Q4 FY2026 Quarterly Report:

- a. The Operational Expenses vs. Budget (System, Labor and Non-Labor), Operational Cost Efficiency, and Capital Expenses vs. Budget (NME, Federally Funded, Non-Federally Funded, and Maintenance Reserve) sections remain incomplete for the April through June 2026 reporting period. The corresponding financial information cannot yet be finalized while the applicable budget determinations and related reconsideration proceedings remain pending before the Energy Bureau.
- b. As a result of the foregoing, the Cost of Generation section is also affected. Fuel data for the April through June 2026 reporting period is included. However, the O&M and Total Cost information for May and June 2026 with respect to the System, Steam, and Gas categories remains pending because the underlying financial information described in subsection (a) cannot be finalized while the applicable budget determinations and related reconsideration proceedings remain pending before the Energy Bureau.
- c. With respect to the HydroCo metrics, all HydroCo-related information included in the Q4 FY2026 Quarterly Report is provided to Genera by PREPA. As explained by PREPA, the HydroCo Cost of Generation is reflected as \$0 because there are no costs associated with fuel or energy purchases, and while Operation

and Maintenance ("O&M") costs are taken into account, PREPA has indicated that it does not currently have those direct costs available.

- d. Finally, Genera is not reporting the Fuel Optimization FYTD metric at this time while it continues to address the Energy Bureau's prior determination.
- e. In the course of preparing this submission and the supporting workpapers, Genera identified certain values previously reported in prior quarterly submissions that require restatement. Consistent with the Energy Bureau's directive in its December 19th Resolution, Genera discloses the following corrections: (i) the OSHA Loss Time Incidents counts for July 2025 (from 3 to 2), January 2026 (from 1 to 0), and March 2026 (from 2 to 1) were restated to reflect only those incidents resulting in lost time; (ii) the Decommissioning Costs Efficiency (FYTD) metric for July 2025 through June 2026 was restated to reflect cumulative expenditures against the approved Decommissioning Budget for the Vega Baja project, which remains the only decommissioning project with an approved budget; and (iii) the emissions rate values previously reported under the label "CO2" were identified as corresponding to carbon monoxide (CO) and the metric label was corrected accordingly, responsive to the Energy Bureau's observation in its December 19th Resolution regarding the order of magnitude of certain emissions values.

10. Additionally, in compliance with the aforementioned Orders, Genera hereby submits several exhibits consisting of the underlying data and supporting workpapers required. For ease of reference, Genera briefly describes below the underlying data that each of the below exhibits encompasses:

- a. Exhibit 2A: Generation Master Metrics for June 2026
- b. Exhibit 2B: Cost of Generation Q4
- c. Exhibit 2C: KPI Performance Metrics Report Q4 FY 25-26
- d. Exhibit 2D: Q4 Fuel Consumption, Generation and Heat Rates
- e. Exhibit 2E: HydroCo Performance Data (provided by PREPA)
- f. Exhibit 2F: OSHA Safety KPI Dashboard FY2026
- g. Exhibit 2G: Plant Availability and Forced Outages Q4
- h. Exhibit 2H: Vehicle Fleet Data Q4
- i. Exhibit 2I: Decommissioning Cost Efficiency Data
- j. Exhibit 2J: Fuel Consumption and Emissions Calculations, April 2026
- k. Exhibit 2K: Fuel Consumption and Emissions Calculations, May 2026
- l. Exhibit 2L: Fuel Consumption and Emissions Calculations, June 2026
- m. Exhibit 2M: Fuel Consumption and Emissions Calculations Q4 FY2026

Summary

11. Lastly, Genera hereby submits Exhibits 2B, 2D, and 2J under seal and requests confidential treatment thereof pursuant to the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, as amended. In accordance with said Policy, Genera will submit, within ten (10) days of the filing of this Motion, a Memorandum of Law in Support of Request for Confidential Treatment.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **accept** Genera's Q4 FY2026 Report, submitted as Exhibit 1 herein, the requested Supporting Workpaper Documents submitted as Exhibits 2A-2M, and **deem** Genera to

be in compliance with its reporting requirements, as well as the *March 16th Resolution* and *April 2nd Resolution*.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 20th day of July 2026.

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CERTIFICATE OF SERVICE

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau and that we will send an electronic copy of this Motion and Exhibits to alexis.rivera@prepa.pr.gov; mvalle@gmlex.net; margarita.mercado@us.dlapiper.com; nzayas@gmlex.net; rcruzfranqui@gmlex.net; Katuska.bolanos-lugo@us.dlapiper.com; hrivera@jrsp.pr.gov; yahaira.delarosa@us.dlapiper.com.

In San Juan, Puerto Rico, this 20th day of July 2026.

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ Ernesto Raúl Ramos Maldonado
Ernesto Raúl Ramos Maldonado

/s/ José Javier Díaz Alonso
José Javier Díaz Alonso

Exhibit 1
Q4 FY2026 Report
(Native file submitted via email)

Exhibit 2A

Generation Master Metrics for June 2026

(Native file submitted via email)

Exhibit 2B

Cost of Generation Q4

(Confidential – Submitted Under Seal)

Exhibit 2C

KPI Performance Metrics Report Q4 FY2025–2026

(Native file submitted via email)

Exhibit 2D

Q4 Fuel Consumption, Generation and Heat Rates

(Confidential – Submitted Under Seal)

Exhibit 2E

HydroCo Performance Data (provided by PREPA)
(Native file submitted via email)

Exhibit 2F
OSHA Safety KPI Dashboard FY2026
(Native file submitted via email)

Exhibit 2G

Plant Availability and Forced Outages Q4

(Native file submitted via email)

Exhibit 2H
Vehicle Fleet Data Q4
(Native file submitted via email)

Exhibit 2I

Decommissioning Cost Efficiency Data
(Confidential – Submitted Under Seal)

Exhibit 2J

Fuel Consumption and Emissions Calculations, April 2026
(Confidential – Submitted Under Seal)

Exhibit 2K

Fuel Consumption and Emissions Calculations, May 2026
(Confidential – Submitted Under Seal)

Exhibit 2L

Fuel Consumption and Emissions Calculations, June 2026
(Confidential – Submitted Under Seal)

Exhibit 2M

Fuel Consumption and Emissions Calculations Q4 FY2026 Summary
(Confidential – Submitted Under Seal)