

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

NEPR

Received:

Jul 22, 2026

5:18 PM

IN RE:

ANNUAL PERFORMANCE TEST
PROCEDURE – THERMAL
GENERATION EQUIPMENT

CASE NO.: NEPR-MI-2023-0003

SUBJECT: Motion to Submit Revised Annual
Performance Test Procedure

**MOTION TO SUBMIT REVISED ANNUAL PERFORMANCE TEST PROCEDURE
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. Sections 4.2(v) and 5.22 of the Thermal Generation Facilities Operation and Maintenance Agreement ("OMA") require Genera to (i) develop, maintain, and implement the Annual Performance Test ("APT") Procedure applicable to the Legacy Generation Assets ("LGAs"), and (ii) conduct the Annual Performance Tests in accordance with the approved procedure.
2. On June 20, 2023, Genera submitted its proposed Annual Performance Test Procedure for the Energy Bureau's review and approval.
3. On May 23, 2024, the Puerto Rico Energy Bureau (the "Energy Bureau") issued a Resolution and Order conditionally approving Genera's proposed Annual Performance Test Procedure, subject to certain revisions identified by the Energy Bureau.

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority and Genera (“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 PREB concerning any matter related to the performance of any of the O&M Services (as defined in the LGA OMA) provided by Genera under the LGA OMA.

4. In compliance with the Energy Bureau's directives, Genera subsequently submitted revised versions of the Annual Performance Test Procedure, including the Final Revised Annual Performance Test Procedure filed on July 10, 2024, which has since governed the execution of the Annual Performance Tests performed on the Legacy Generation Assets.

5. Following implementation of the approved procedure and the execution of Annual Performance Tests throughout Genera's generating fleet, Genera gained significant operational experience regarding the practical application of the procedure under actual system conditions. Such experience identified opportunities to improve the clarity, efficiency, coordination, and execution of the Annual Performance Test while preserving its technical integrity and underlying objectives.

6. Accordingly, Genera has prepared a revised version of the Annual Performance Test Procedure, attached hereto as **Exhibit A**, which incorporates lessons learned during implementation, clarifies existing requirements, updates testing and reporting provisions, and aligns the procedure with generally accepted engineering practices applicable to thermal generation performance testing. The revisions are intended to improve the execution and administration of the Annual Performance Test without modifying its fundamental purpose or the methodology used to determine Net Capacity and Net Heat Rate.

7. The principal revisions incorporated into the revised Annual Performance Test Procedure include, among others, the following:

- a. **Annual Performance Test Scheduling:** the revised procedure provides additional flexibility regarding the scheduling of Annual Performance Tests by allowing testing to be conducted during periods when adequate operating reserves are available, thereby reducing unnecessary operational risks while maintaining electric system reliability.

- b. **Performance Testing Methodology:** the revised procedure updates certain testing requirements to better reflect the operational realities and current condition of Puerto Rico's thermal generation fleet. In particular, it removes procedural requirements that proved impractical during implementation, including the requirement to complete multiple successful test runs under predefined loading conditions, and instead focuses testing on obtaining representative performance data under full-load operating conditions, consistent with the actual capabilities and condition of each generating unit.
- c. **Technical Definitions:** the revised procedure updates and clarifies several technical definitions, including Net Heat Rate, Heating Value, Test Load, Calibration, Major Maintenance, and related terminology, to improve consistency throughout the document and ensure alignment with current engineering practice.

8. The revisions submitted herein do not alter the fundamental purpose of the Annual Performance Test, which remains the accurate determination of Net Capacity and Net Heat Rate for each Legacy Generation Asset. Rather, the revisions improve the administration, execution, documentation, and overall efficiency of the testing process while maintaining the technical rigor necessary to ensure accurate and reliable performance testing results.

9. Furthermore, the revised procedure reflects the practical experience acquired by Genera following implementation of the previously approved procedure and incorporates methodologies and practices that are consistent with accepted industry standards for thermal generation performance testing and industry best practices for annual performance testing of legacy thermal generating facilities. Accordingly, the revisions represent an evolution of the existing procedure based upon actual field implementation and accepted engineering practice, rather than a modification of the technical objectives or integrity of the Annual Performance Test.

10. Genera respectfully submits that the revised Annual Performance Test Procedure represents an improvement over the currently approved procedure by enhancing clarity, improving coordination among participating entities, increasing administrative efficiency, and better reflecting the current operational realities of Puerto Rico's thermal generation fleet while continuing to ensure technically sound, transparent, and reliable Capacity and Heat Rate determinations.

11. Lastly, Genera submits **Exhibit A under seal** and respectfully 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 the Energy Bureau **take notice** of the above for all purposes, **approve Exhibit A**, Genera's Revised Annual Performance Test Procedure, for implementation in future Annual Performance Tests of the Legacy Generation Assets, and **grant** any other relief the Energy Bureau deems just and proper.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 22nd day of July 2026.

[Signature page follows]

ECIJA SBGB

PO Box 363068
San Juan, PR 00936-3068
Tel. (787) 300.3200
Fax (787) 300.3208

/s/ Jorge Fernández-Reboredo

Jorge Fernández-Reboredo

jfernandez@ecija.com

TSPR 9,669

/s/ José Javier Díaz Alonso

José Javier Díaz Alonso

jdiaz@ecija.com

TSPR 21,718

/s/ Ernesto Raúl Ramos Maldonado

Ernesto Raúl Ramos Maldonado

emaldonado@ecija.com

TSPR 23,882

CERTIFICATE OF SERVICE

We hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System.

In San Juan, Puerto Rico, this 22nd day of July 2026.

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ José Javier Díaz Alonso
José Javier Díaz Alonso

/s/ Ernesto Raúl Ramos Maldonado
Ernesto Raúl Ramos Maldonado

Exhibit A
Revised Annual Performance Test Procedure
(Confidential- submitted under seal)