

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

IN RE: ACCELERATED EVALUATION OF RENEWABLE ENERGY AND ENERGY STORAGE PROJECT PROPOSALS TO SECURE FEDERAL INVESTMENT TAX CREDITS (ITCs)

CASE NO.: NEPR-MI-2025-0005

SUBJECT: Resolution and Order pertaining Proponent #7's *Motion Requesting Relief from the Puerto Rico Energy Bureau.*

RESOLUTION AND ORDER

On June 12, 2026, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("June 12 Resolution"), which directed the Puerto Rico Electric Power Authority ("PREPA") and Proponent No. 7 to continue negotiating in good faith, resolve any remaining contractual issues, and submit the proposed Power Purchase and Operating Agreements ("PPOAs") and Energy Storage Services Agreements ("ESSAs") for the Energy Bureau's review if an agreement was reached.

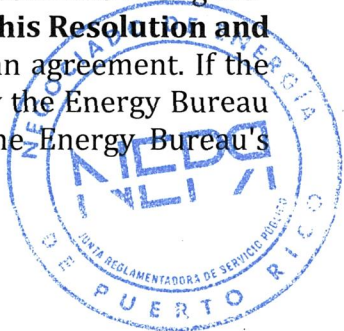
On June 26, 2026, PREPA filed a *Motion in Compliance with t[he] June 12, 2026 Resolution and Order* ("June 26 Motion"), representing that it had continued negotiations with Proponent No. 7 regarding the PPOA and ESSA pursuant to the Energy Bureau's directives. PREPA further asserted that the PPOA negotiations were proceeding under the previously approved October 3, 2023 Settlement Agreement ("Settlement Agreement"), requested confidential treatment for that agreement, and sought an extension to complete the negotiations and submit the proposed agreements.

On July 16, 2026, Proponent No. 7 filed a *Motion Requesting Relief from the Puerto Rico Energy Bureau* ("July 16 Motion"). In its motion, Proponent No. 7 disputes PREPA's characterization that the project submitted under the Request for Proposal ("RFP") is the same project contemplated in the Settlement Agreement. Proponent No. 7 contends that the RFP proposal constitutes a materially expanded solar and battery energy storage project that should be treated as a *hybrid* project for purposes of this proceeding and requests, among other things, that the Energy Bureau clarify that the RFP project is distinct from the project contemplated in the Settlement Agreement.

Proponent No. 7 classifies its project as *hybrid*, generally consisting of an integrated configuration of Solar PV generation ("Solar PV") and Battery Energy Storage System ("BESS") capacity. The Energy Bureau **CLARIFIES** that it has previously established that the evaluation and negotiation process applicable to this proceeding shall follow, in a manner substantially similar to the same framework adopted for the Tranche 4 proceedings.¹ While the Energy Bureau recognizes that project-specific modifications to the agreements may be appropriate, such modifications must be limited in scope and may not constitute material or substantive departures from the contractual framework previously approved by the Energy Bureau. Accordingly, notwithstanding Proponent No. 7's characterization of its proposal as a *hybrid* project, the Energy Bureau determines that, for purposes of this proceeding, the proposal shall not be treated or evaluated as a *hybrid* project. Instead, the proposed Solar PV facility and the BESS shall continue to be evaluated independently under their respective contractual frameworks and governed by separate agreements. Accordingly, each project shall be evaluated on its own merits, and any negotiations or contractual revisions shall be consistent with that framework.

Accordingly, the Energy Bureau **ORDERS** PREPA and Proponent No. 7 to continue their good-faith negotiations and, **within ten (10) days from the notification of this Resolution and Order**, jointly inform the Energy Bureau whether they have reached an agreement. If the parties reach an agreement within such period, they shall jointly notify the Energy Bureau and submit copies of the corresponding proposed agreements for the Energy Bureau's

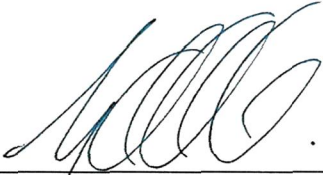
¹ See June 12 Resolution, p. 2.



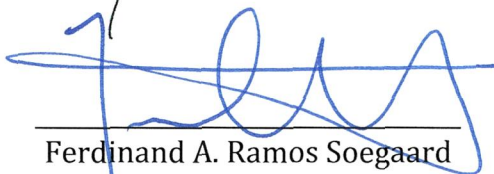
review and determination within the same period. If no agreement has been reached, the parties shall file a joint status report identifying the issues that remain unresolved and describing the efforts undertaken to resolve them.

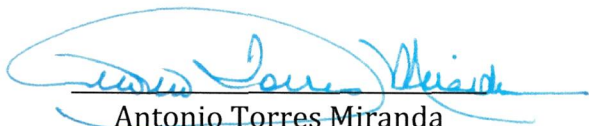
The Energy Bureau **WARNS** PREPA that, in accordance with Art. 6.36 of Act 57-2014, non-compliance with this Resolution and Order may carry the imposition of fines.

Be it notified and published.


Edison Avilés Deliz
Chairman


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner

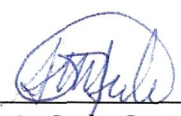

Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on July 23, 2026. Associate Commissioner Sylvia B. Ugarte Araujo did not intervene. Also certify that on July 23, 2026. I have proceeded with the filing of this Resolution and was notified by email to: alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net; eirizarry@ccdlawpr.com.

I sign this in San Juan, Puerto Rico, today July 23, 2026.




Sonia Seda Gaztambide
Clerk