

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

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY'S EMERGENCY RESPONSE
PLAN

CASE NO.: NEPR-MI-2019-0006

SUBJECT: Resolution and Order for Motion
to Inform Declaration of Emergency
Regarding Water Supply for the Legacy
Generation Assets.

RESOLUTION AND ORDER

I. Introduction

On July 15, 2026, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("July 15 Resolution") approving Genera's 2026 revision of its Emergency Response and Action Plan ("ERAP").

On July 31, 2026, the Governor of Puerto Rico issued Executive Order No. 2026-035 ("EO 2026-035"), declaring an island-wide state of emergency in response to severe drought conditions and continued decline in water levels at major reservoirs affecting Puerto Rico. The Executive Order establishes water conservation measures and directs the implementation of an interagency action plan to protect water resources.

On August 5, 2026, Genera PR, LLC ("Genera") filed with the Energy Bureau a document titled *Motion to Inform Declaration of Emergency Regarding Water Supply for the Legacy Generation Assets* ("August 5 Motion"), through which Genera informs it has declared an Exigency/Emergency and has partially activated its Emergency Operation Center, under Type 4 classification, in response to the severe drought conditions affecting Puerto Rico. Genera allege that on August 4, 2026 it submitted to the Puerto Rico Public-Private Partnership Authority ("P3 Authority") a *Declaration of Exigency/Emergency for Water Supply Alternatives for Legacy Generation Assets* ("LGA"), through which, Genera informs it needs to prepare for the potential restriction of water extraction permits at certain LGA facilities. In accordance with Section III(D)(1)(c) of their Procurement Manual, Genera's declaration authorizes the procurement of alternative water supply services, temporary water storage equipment, and pumping equipment, among other actions and related goods and services necessary to maintain reliable generation operations.

II. Discussion and Conclusion

EO 2026-035 specifically mentions the Puerto Rico Electric Power Authority ("PREPA") among the agencies ordered to give priority attention to the emergency declared and implement the necessary measures to mitigate its effects. Therefore, Genera, as operator of the LGA, has an obligation to evaluate the impacts of the emergency and procure the resources necessary to preserve the continued reliable operation of the generation system.

The Energy Bureau **TAKES NOTICE** of Genera's Declaration of Emergency Regarding Water Supply for the Legacy Generation Assets and the partial activation of its Emergency Operation Center under Type 4 classification. The Energy Bureau **ORDERS** Genera to submit monthly reports, the first starting on **September 4, 2026**, detailing the specific actions and costs incurred associated with the emergency declaration for water supply alternatives and activation of their ERAP.

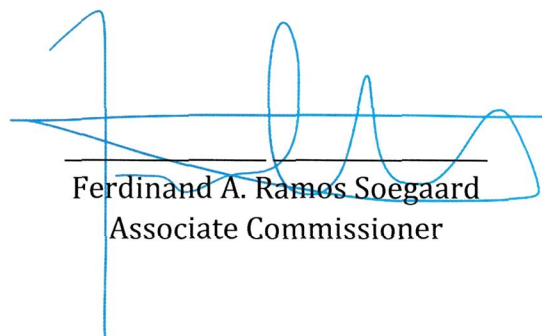
The Energy Bureau **WARNS** Genera that, in accordance with Art. 6.36 of Act 57-2014¹, non-compliance with this Resolution and Order may carry the imposition of fines.

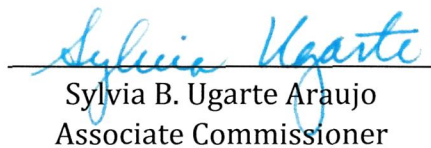
¹ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended ("Act 57-2014").



Be it notified and published.



Edison Aviles Deliz
Chairman

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 agreed on August 14, 2026. Associate Commissioner Omar M. Rodríguez González did not intervene. I also certify that on August 14, 2026, I have proceeded with the filing of this Resolution and Order and was notified by email to elias.sostre@aes.com; carlos.reyes@ecoelectrica.com; jfernandez@ecija.com; jdiaz@ecija.com; eramos@ecija.com; gcastrodad@ecija.com; legal@genera-pr.com; regulatory@genera-pr.com; alexis.rivera@prepa.pr.gov; rcruzfranqui@gmlex.net; nzayas@gmlex.net; mvalle@gmlex.net; RegulatoryPREBOrders@lumapr.com; margarita.mercado@us.dlapiper.com; laura.rozas@us.dlapiper.com; Yahaira.delarosa@us.dlapiper.com.

I sign this in San Juan, Puerto Rico, today August 14, 2026.



Sonia Seda Gaztambide
Clerk