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To: Comentarios <comentarios@jrsp.pr.gov>

Subject: Comments on Distributed Generation and Microgrid Interconnection Regulation - Case No. NER-MI-2019-0009

To: **Honorable Chairman and Associate Commissioners of the Public Service Regulatory Board of the Puerto Rico Energy Bureau.**

Attention To: **Hon. Edison Avilés-Deliz**, Chairman

Cc: **Hon. Lillian Mateo Santos**, Associate Commissioner
Hon. Ferdinand A. Ramos Soegaard, Associate Commissioner
Hon. Sylvia B. Urbina, Associate Commissioner
Hon. Antonio Torres Miranda, Associate Commissioner

COMMENTS OF BARRIO ELÉCTRICO ON THE REVISED PRELIMINARY DRAFT OF THE DISTRIBUTED GENERATION AND MICROGRID INTERCONNECTION REGULATION: NEPR-MI-2019-0009

Comments Regarding the Definition and Regulatory Treatment of Community Solar:

Barrio Eléctrico respectfully appreciates the significant work undertaken by the Puerto Rico Energy Bureau in modernizing Puerto Rico's interconnection framework. We support the Bureau's objective of establishing a transparent, technology-neutral, and efficient regulatory process that facilitates the deployment of distributed energy resources while ensuring the safety and reliability of the Electric Power System.

I. Community Solar Should Reflect Puerto Rico's Energy Policy Priorities

The proposed definition of Community Solar appropriately reflects the traditional virtual community solar model that has been successfully implemented in many U.S. jurisdictions. Under that model, subscribers receive bill credits based on their allocated share of the electricity generated by an off-site photovoltaic facility. While this approach has proven effective in expanding access to renewable energy and reducing electricity costs, Puerto Rico's electric system presents fundamentally different challenges.

Puerto Rico continues to experience:

- prolonged system-wide outages;
- increasing exposure to hurricanes and extreme weather events;
- geographically vulnerable transmission infrastructure;
- isolated and difficult-to-serve communities; and
- a large population of medically vulnerable, elderly, and low-income residents for whom uninterrupted electric service is essential.

Under these circumstances, community energy projects should not be viewed exclusively as mechanisms for allocating energy credits. They should also be capable of enhancing community resilience by maintaining critical electric service during grid outages whenever technically feasible.

II. Consistency with Puerto Rico's Statutory Energy Policy

In addition to Puerto Rico's operational realities, the proposed definition should be interpreted in light of the statutory energy policy.

Acts 57-2014 and 17-2019 establish a comprehensive policy framework intended to transform Puerto Rico's electric system through:

- distributed renewable energy;
- improved system reliability;
- increased resilience;
- reduced dependence on centralized generation;
- greater customer participation;
- equitable access to clean energy; and
- modernization of the electric grid.

These statutory objectives extend well beyond the allocation of virtual bill credits. The current structure of the Revised Preliminary Draft appears to treat Distributed Generation, Community Solar, and Microgrids as distinct regulatory categories. However, from both an engineering and policy perspective, these concepts are complementary rather than mutually exclusive.

A Community Solar facility may:

- incorporate Battery Energy Storage Systems (BESS);
- include advanced energy management systems;
- operate with intelligent communications and controls;
- provide backup power during outages;

Rather, they envision an electric system capable of supporting critical infrastructure, strengthening communities, improving emergency preparedness, and enabling distributed energy resources to contribute actively to the reliability and resilience of the Electric Power System.

Accordingly, the Regulation should avoid adopting a definition of Community Solar that may unintentionally limit future community energy models capable of advancing these legislative objectives.

III. Community Solar, Distributed Generation, and Microgrids Should Be Complementary Regulatory Concepts

Community Solar, distributed generation, and microgrids are not mutually exclusive regulatory models; rather, they can function as complementary components of integrated community energy systems that enhance customer choice, grid flexibility, and resilience. For this reason, they may be able to:

- operate in island mode when appropriate;
- participate in distributed energy resource aggregation;
- provide demand response services; and
- become part of a community microgrid if feasible.

Likewise, community microgrids could consist of one or more Community Solar facilities serving multiple subscribers while maintaining resilience capabilities.

Nothing in the Regulation should inadvertently prevent these integrated community energy models from developing.

IV. Recommended New Regulatory Provision

Barrio Eléctrico respectfully recommends adding the following subsection immediately following the definition of Community Solar or within the General Provisions of Article 1:

Community Solar Flexibility. Nothing in this Regulation shall be interpreted to prohibit a Community Solar facility from:

- (a) incorporating Battery Energy Storage Systems (BESS);
- (b) participating in or serving as part of a Microgrid;
- (c) operating independently from the Electric Power System during outages when technically feasible and consistent with applicable safety requirements;
- (d) participating in demand response, distributed energy resource aggregation, Virtual Power Plant (VPP), or other Energy Bureau-approved programs; or
- (e) providing resilience, reliability, or other electric system services authorized by the Energy Bureau.

The incorporation of such capabilities shall not, by itself, alter the regulatory classification of a Community Solar facility or otherwise affect its eligibility under this Regulation.

V. Recommended Revision to Section 1.06 (7)

Barrio Eléctrico respectfully recommends replacing the proposed definition with the following:

“Community Solar means a Distributed Generation System that generates electricity by means of one or more solar photovoltaic devices, which may include Battery Energy Storage Systems (BESS), advanced control systems, communications infrastructure, and other equipment necessary to improve reliability, resilience, and emergency electric service, through which subscribers may receive bill credits, resilience services, or other Energy Bureau-approved benefits associated with the facility, including benefits allocated in proportion to each subscriber's share of the facility's electric production or through another allocation methodology approved by the Energy Bureau. Community Solar facilities may be designed to operate in coordination with, or independently from, the Electric Power System during grid outages when technically feasible and consistent with applicable safety, operational, and interconnection requirements.”

VI. Recommended Revision to the Definition of "Subscriber"

Current definition:

"Subscriber" means a customer... that receives bill credits...

Barrio Eléctrico recommends this language to recognize additional community energy benefits beyond virtual net billing:

“"Subscriber" means a customer of the EPS Operator that participates in a Community Solar facility and has identified one or more individual meters or accounts to which bill credits, resilience services, or other Energy Bureau-approved benefits associated with the Community Solar facility may be allocated.”

VII. Recommended Revision to the Definition of Distributed Generation System

Section 1.06(11) currently provides that Community Solar is considered a Distributed Generation System.

Barrio Eléctrico recommends adding the following sentence:

“Distributed Generation Systems may include energy storage, advanced control technologies, communications infrastructure, and other equipment necessary to provide reliability, resilience, demand response, or other distributed energy services authorized by the Energy Bureau.”

VIII. Recommended Clarification Regarding Battery Energy Storage

Barrio Eléctrico respectfully recommends adding the following clarification:

“Battery Energy Storage Systems incorporated into Community Solar facilities shall be considered an eligible component of the Distributed Generation System for purposes of interconnection and shall not modify the project's regulatory classification solely because such facilities are capable of operating in island mode, providing backup power, supporting black-start capabilities, participating in distributed energy resource aggregation, or providing resilience-related services.”

IX. Long-Term Regulatory Flexibility

The electric power sector is evolving rapidly. Future community energy systems are expected to combine:

- distributed solar generation;
- battery energy storage;
- electric vehicles;
- flexible loads;
- demand response;
- intelligent controls;
- distributed energy resource aggregation;
- virtual power plants; and
- community microgrids.

The Regulation should therefore remain technology-neutral and functional rather than prescriptive. Providing regulatory flexibility today will reduce the need for future amendments while enabling Puerto Rico to continue leading the deployment of resilient community energy systems.

Conclusion

Barrio Eléctrico respectfully emphasizes that these recommendations do not seek to redefine Community Solar as a Microgrid, nor to require battery storage for every Community Solar project. Rather, they seek to ensure that the Regulation does not inadvertently foreclose innovative community energy models that combine shared renewable generation, battery energy storage, advanced controls, and coordinated operation to improve resilience while continuing to provide equitable subscriber benefits.

Given Puerto Rico's unique electric system challenges, resilience should be recognized as a core function of community energy—not merely an optional project feature.

By adopting the recommended revisions, the Energy Bureau would preserve regulatory flexibility, maintain consistency with Puerto Rico's statutory energy policy under Acts 57-2014 and 17-2019, and establish an interconnection framework capable of supporting the next generation of resilient community energy systems throughout Puerto Rico.

Respectfully submitted,



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