

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

NEPR

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IN RE:

**REVIEW OF LUMA'S INITIAL
BUDGET**

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Motion for Extension of Time to
Submit the FY2026 Budget to Actual Report

**MOTION FOR EXTENSION OF TIME TO SUBMIT THE FY2026 BUDGET TO
ACTUAL REPORT**

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 counsel of record, and respectfully state and request the following:

1. On April 15, 2026, the Puerto Rico Energy Bureau (“Energy Bureau” or “Bureau”) issued the *Final Resolution and Order on Electricity Rates* in Case No. NEPR-AP-2023-0003 (the “Final Rate Order”), which established, among other matters, the final budget treatment applicable to Fiscal Year 2026 (“FY2026”).

2. Prior to the issuance of the Final Rate Order, Genera operated the Legacy Generation Assets during FY2026 pursuant to the budgetary authority established by the Energy Bureau, initially through the Temporary Default Budget effective July 1, 2025, and subsequently under the provisional budget authority recognized by the Energy Bureau pending resolution of the rate proceeding.

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, 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.

3. On June 9, 2026, Genera filed before the Energy Bureau its *Urgent Motion for Clarification and Protective Treatment Regarding FY2026 Budget to Actual Reconciliation and Good-Faith Expenditures Incurred under PREB-Approved Temporary and Provisional Budget Authority* (the “June 9 Motion”).

4. Through the June 9 Motion, Genera sought clarification and guidance regarding the manner in which the Final Rate Order would be implemented for FY2026 Budget to Actual (“B2A”) and reconciliation purposes, particularly with respect to expenditures and commitments incurred in good faith under the temporary and provisional budget authority in effect prior to the issuance of the Final Rate Order.

5. Genera explained that the Final Rate Order was issued after approximately ten months of FY2026 had elapsed, by which time Genera had incurred expenditures and obligations, awarded and amended contracts, procured materials and spare parts, mobilized vendors, performed maintenance, responded to outages, and undertaken other activities necessary to maintain the reliability and continuity of the Legacy Generation Assets.

6. On June 15, 2026, the Energy Bureau issued a Resolution and Order addressing, among other matters, the disposition of Genera’s June 9 Motion (“June 15 Order”). In the June 15 Order, the Energy Bureau authorized Genera to submit additional information and supporting documentation regarding the matters raised in the June 9 Motion.

7. In compliance with the June 15 Order, on June 25, 2026, Genera filed its *Submission of Additional Information and Supporting Documentation in Compliance with the June 15, 2026 Resolution and Order and Request for Guidance and Authorization* (“June 25 Motion”). Through that filing, Genera supplemented the record concerning the FY2026 budget and reconciliation

matters previously raised before the Energy Bureau and provided additional information and supporting documentation for the Bureau's consideration.

8. The foregoing proceedings are directly relevant to the preparation of Genera's FY2026 B2A Report. Unlike an ordinary quarterly B2A reconciliation, the FY2026 year-end reconciliation requires Genera to account for expenditures incurred throughout the fiscal year under the temporary and provisional budgetary framework while also reflecting the budget treatment ultimately established through the Final Rate Order.

9. Genera is currently awaiting further instructions and guidance from the Energy Bureau regarding the matters raised in June 9 and June 25 Motions, which directly impact the preparation and presentation of the FY2026 B2A Report. Accordingly, Genera respectfully submits that an extension of time is warranted to allow the Energy Bureau to address the pending request for guidance and to enable Genera to prepare and submit the FY2026 B2A Report consistent with the Energy Bureau's determinations.

WHEREFORE, Genera respectfully requests that the Energy Bureau take notice of the foregoing and grant Genera an extension of time to submit its FY2026 Budget to Actual Report until the Energy Bureau issues a determination regarding the FY2026 budget and reconciliation matters raised in the June 9 Motion and supplemented through the June 25 Motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 17th day of August of 2026.

[Signature page follows.]

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CERTIFICATE OF SERVICE

I 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 and that I will send an electronic copy of this motion through counsels of record at: alexis.rivera@prepa.pr.gov ; nzayas@gmlex.net; yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com; katiuska.bolanos-lugo@us.dlapiper.com; rcruzfranqui@gmlex.net; jan.albinolopez@us.dlapiper.com; julian.angladapagan@us.dlapiper.com; hrivera@jrsp.pr.gov .

In San Juan, Puerto Rico, this 17th day of August of 2026.

/s/ Jorge Fernández-Reboredo

Jorge Fernández-Reboredo

/s/ Ernesto Raúl Ramos Maldonado

Ernesto Raúl Ramos Maldonado