

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

IN RE: ANNUAL PERFORMANCE TEST
PROCEDURE - THERMAL GENERATION
EQUIPMENT

CASE NO.: NEPR-MI-2023-0003

SUBJECT: Requirement of Information
regarding Genera's Motion to Submit Revised
Annual Performance Test Procedure.

RESOLUTION AND ORDER

On January 24, 2023, the Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnership Authority ("P3A"), and Genera PR LLC ("Genera") entered into the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement ("Generation OMA"). Section 4.2(v) of the Generation OMA obligated Genera to develop and file with the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") the procedures for testing the performance of the Legacy Generation Assets.

On June 16, 2023, the Energy Bureau issued a Resolution and Order establishing this docket for the filing, review, and evaluation of thermal generation performance testing procedures.

On May 23, 2024, the Energy Bureau issued a Resolution and Order ("May 2024 Order") conditionally approving Genera's Annual Performance Test Procedure ("APT"), subject to Genera filing a revised version incorporating the modification requirements of Attachment A to the May 2024 Order.

On July 10, 2024, Genera filed a document titled *Motion to Submit Final Revised Annual Performance Test Procedure*, ("July 10 Motion") in which Genera submitted its Final Revised Annual Performance Test Procedure, and included as Exhibit A, the final revised procedure ("2024 Procedure").

On July 19, 2024, Genera filed a document titled *Memorandum of Law in Support of Confidential Treatment of the Final Revised Annual Performance Test Submitted on July 10, 2024* ("July 19 Motion"), in which Genera requested confidential treatment to its GSUPU submitted as Exhibit A to its July 10 Motion.

On September 13, 2024, Genera filed *Informative Motion on the Annual Performance Test Procedure* ("September 13 Motion"), in which Genera describes the reasons for several delays in which it must postpone its tests.

On March 13, 2026, Genera submitted a document titled *Motion to Establish Genera's Equivalent Availability Factor Targets for FY25 and FY26, Including Capacity and Heat Rate, and Submit the Annual Performance Test Results*, in which Genera filed its Equivalent Availability Factor ("EAF") targets for FY25 and FY26 together with its APT results, including Exhibits A and B ("March 2026 Submission").

On July 22, 2026, Genera filed a Motion to Submit Revised Annual Performance Test Procedure ("July 22 Motion"), including as Confidential Exhibit A a revised procedure with a revision date of June 9, 2026 ("Revised Procedure").

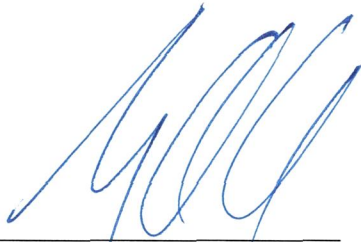
On July 31, 2026, Genera filed *Memorandum of Law in Support of Confidential Treatment of the Revised Annual Performance Test Procedure Submitted on July 22, 2026* ("July 31 Request") in which it requested confidential treatment to Exhibit A of the July 22 Motion which included its Revised Procedure.

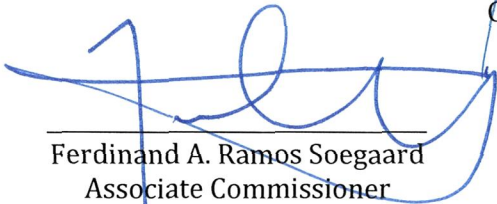
The Energy Bureau reviewed Genera's July 22 Motion and determined that it requires additional information to evaluate the proposed revisions. The Energy Bureau **ORDERS** Genera to respond to the requirements of information in Attachment A of this Resolution and Order within **fifteen (15) days** of the notification of this Resolution and Order.

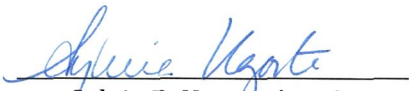
The Energy Bureau **GRANTS** confidential treatment to Exhibit A of Genera's July 10 Motion and Exhibit A of Genera's July 22 Motion.



Be it notified and published.


Edison Avilés Deliz
Chairman


Ferdinand A. Ramos Soegaard
Associate Commissioner


Sylvia B. Ugarte Araujo
Associate Commissioner


Antonio Torres Miranda
Associate Commissioner


Omar M. Rodríguez González
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on August 19, 2026. I also certify that on August 19, 2026, I have proceeded with the filing of this Resolution and Order and was notified by email to jfernandez@ecija.com; eramoss@ecija.com; jdiaz@ecija.com; legal@genera-pr.com; regulatory@genera-pr.com.

I sign this in San Juan, Puerto Rico, today August 19, 2026.


Sonia Seda Gaztambide
Clerk



Attachment A

Requirements of Information (ROIs)

Documents Referenced

The reference line under each request identifies where the subject matter appears in the following docket documents. Page citations, if applicable, are to the page numbers printed in each document's own footer, which run one behind the PDF page count because of the cover page. Nothing from the sealed exhibit is quoted.

- **Revised Procedure.** Docket file 20260722 MI20230003 CONFIDENTIAL Exhibit A Motion to Submit Revised Annual Performance Test Procedure.pdf (filed under seal July 22, 2026, revision date June 9, 2026).
- **2024 Procedure.** Docket file 20240710 MI20230003 Exhibit A Final Revised Annual Performance Test Procedure.pdf (filed July 10, 2024, confidential treatment requested).
- **May 2024 Order.** Docket file 20240523 MI20230003 Resolution and Order.pdf (public). The required modifications appear in Attachment A, Items 1 through 9, at pages 3 and 4.
- **March 2026 Submission.** Docket files:
 - 20260313 MI20230003 GENERA EAF TARGETS FOR FY25 FY26 SUBMIT APT RESULTS.pdf
 - 20260313 MI20230003 GENERA Exhibit A.xlsx (single tab, Table with HR Changes)
 - 20260313 MI20230003 GENERA Exhibit B.xlsx (tabs KPI_FY 24-25, KPI_FY 24-25 (OMC), Metrics ACUM, Metrics ACUM (OMC), and OMC Hrs.)
- **FY2025 Incentives Report.** Docket files 20250730 MI20250002 CONFIDENTIAL Motion Incentives and Penalties Report.pdf and 20250730 MI20250002 CONFIDENTIAL Exhibit A Incentives and Penalties Report.xlsx, filed July 30, 2025 in Case No. NEPR-MI-2025-0002 (confidential).
- **June 2025 Order.** Docket file 20250625 MI20250002 Resolution and Order.pdf, issued June 25, 2025 in Case No. NEPR-MI-2025-0002 (issued confidentially, subsequently published).

The Revised Procedure

1. For each substantive change between the 2024 Procedure and the Revised Procedure, identify the section, describe the change, and describe the specific operational experience from the FY25 test campaign that motivated it, including the unit and test where that experience occurred where applicable.

Reference: 2024 Procedure and Revised Procedure.

2. Identify each provision of the 2024 Procedure included to comply with the May 2024 Order and that the Revised Procedure would modify or remove. For each, explain why Genera believes departure from the Bureau's required modification is now appropriate.

Reference: 2024 Procedure, Revised Procedure, and May 2024 Order, Attachment A, Items 1 through 9, pages 3 and 4.

3. Regarding the Independent Engineer:
 - a. Explain the basis for making the Independent Engineer's participation contingent on a prior written request by the P3A.
 - b. State whether the P3A was consulted on this change before the July 22 filing and provide all related communications.
 - c. State whether the P3A has indicated it would issue such requests as a standing matter.
 - d. State the incremental annual cost of Independent Engineer participation in the FY25 campaign.

Reference: Revised Procedure, page 15, 40 and 43.



4. Regarding the Test Coordinator, formerly referenced as the Performance Test Specialist in the 2024 Procedure, identify the person or firm Genera intends to appoint, describe their qualifications and relevant testing experience, and explain the basis for removing the requirement to file the testing entity's qualifications.

Reference: Revised Procedure, page 11 and 2024 Procedure, page 13.

5. Define "primary or available fuel" as used in the Revised Procedure. State who determines fuel availability for a given test and describe how the capacity and heat rate of dual fuel units on their secondary fuel would be established going forward.

Reference: Revised Procedure, page 3, 25, and 32.

6. Section 1.0 of the Revised Procedure describes submitting summary results "by May 31st and/or within thirty (30) days of closure of the Contract / Fiscal Year." State which deadline governs and describe the circumstances under which each would apply.

Reference: Revised Procedure, page 4.

7. Regarding test loads:

- a. Reconcile the statement that the 100, 75, and 50 percent load cases "will be considered" with the statement that only full load is required.
- b. State whether a test at the minimum environmental compliance load remains required.
- c. Provide Genera's analysis of the effect of discontinuing partial load testing on the accuracy of dispatch modeling, considering the FY25 results showing materially higher heat rates at partial load.

Reference: Revised Procedure, page 9.

8. Explain the engineering basis for downgrading repeat test runs from required to recommended for steam units while retaining the repeat run step for combustion turbine and combined cycle units and describe the burden that repeat runs imposed during the FY25 campaign, by unit and by day.

Reference: Revised Procedure, page 20, 26, 33 and May 2024 Order, Attachment A, Item 6, page 3.

9. Regarding fuel sampling, explain the basis for reducing sampling to one sample, define "recent fuel analysis" including a maximum age, explain the removal of the prohibition on sampling from storage or service tanks, and reconcile Section 10.1's reference to averaging sample characteristics with the collection of a single sample.

Reference: Revised Procedure, pages 16, 23, 28 and 35.

10. Regarding instrumentation, provide the calibration status of the fuel flow metering and net electrical output metering for each Legacy Generation Asset, including the date and standard of last calibration, and describe Genera's plan and schedule to establish current calibration for these two instrument classes before the next APT cycle.

Reference: Revised Procedure, page 10.

11. Reconcile the definition in Section 3.0 permitting heat rate on a lower and/or higher heating value basis with Section 10.1, which requires the lower heating value basis. State the single basis Genera proposes to use as primary, and whether Genera will report both bases for each test, consistent with FY25 practice.

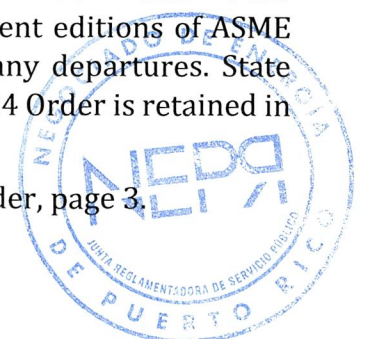
Reference: Revised Procedure, pages 6 and 35.

12. Explain the basis for removing the recording of emissions during testing and identify the monitoring and reporting that Genera contends captures equivalent information.

Reference: 2024 Procedure, page 10.

13. Identify the industry code basis for each stability and permissible deviation table in the Revised Procedure, state whether the values conform to the current editions of ASME PTC 6, PTC 22, PTC 46, and PTC 19.1, and identify and justify any departures. State whether the alignment with ASME PTC 46 required by the May 2024 Order is retained in the Revised Procedure.

Reference: Revised Procedure, pages 19, 24, 31 and May 2024 Order, page 3.



14. Regarding correction curves, state for each Legacy Generation Asset whether performance correction curves exist and provide Genera's plan and schedule to develop them. Describe how year over year comparability of results will be maintained where curves do not exist, particularly if testing shifts seasonally under the Revised Procedure's scheduling provisions.

Reference: Revised Procedure, pages 37 and 38.

15. Describe the criteria and process for deferring a test under Section 1.0, how deferrals will be documented in the December 1 schedule and monthly updates filed in this docket, and the maximum period during which prior period results will remain in use before a new test is required.

Reference: Revised Procedure, pages 3, 4 and 38.

The FY25 Test Program and Records

16. Provide the final test report for each Legacy Generation Asset tested in FY24 and FY25, together with the Independent Engineer's report for each test, the System Operator's witnessing feedback, the signed protocol letters, and the deviation forms.

Reference: 2024 Procedure, pages 44 and 47, and May 2024 Order, Attachment A, Item 9, page 4.

17. Regarding the net electrical output metering under LUMA's jurisdiction, identify each unit where meter access or calibration certificates were not available during testing in both FY24 and FY25, describe the coordination undertaken with LUMA since, and state what is needed to secure access and certificates for future tests.

Reference: 2024 Procedure, pages 10 and 39.

18. Describe how the APT results for FY25 were used to derive the Equivalent Availability Factor values and targets submitted in this docket on March 13, 2026, including the calculation linking net capacity and net heat rate results to the EAF figures. Explain whether the EAF values underlying the incentive claims in the FY2025 Incentives Report were derived from the APT results and provide the EAF formula applied in that report with the formula applied in the March 2026 Submission, including the treatment of equivalent planned derated hours.

Reference: March 2026 Submission, Exhibit A.

19. Regarding hours classified as Out of Management Control (OMC) in the availability metrics submitted March 13, 2026: identify who classifies OMC events, the criteria and industry standard applied, who verifies the classifications, and provide the complete OMC event log for FY24 and FY25 by unit, with the cause and supporting documentation for each excluded period. For any unit where all or substantially all period hours were classified as OMC, explain the basis and the effect on that unit's reported Equivalent Availability Factor.

Reference: March 2026 Submission, Exhibit B.

20. For any unit whose maximum demonstrated gross load declined between its FY25 performance test and the November 2025 retest reflected in the March 13, 2026, submission, describe the cause of the decline, the corrective maintenance planned or completed, and how the reduced capability is reflected in the derating and availability accounting.

Reference: March 2026 Submission, Exhibit A.

21. Identify each Legacy Generation Asset that was not performance tested during the FY24 and FY25 campaigns, the reason it was not tested, and the basis on which its capacity, heat rate, and availability values were computed in the March 13, 2026, submission.

Reference: March 2026 Submission, Exhibit A.



Process

22. State Genera's position on the approval status of the 2024 Procedure, including the basis for treating it as approved, and confirm that Genera conducted the FY24 and FY25 campaigns under that version. Also explain the statement in Genera's FY2024 Incentives and Penalties Report, as recited at page 10 of the June 2025 Order, that the EAF should not be given the challenges with the approval of the Annual Performance Test.

Reference: May 2024 Order, page 2 (conditional approval) and 2024 Procedure.

23. The Revised Procedure states that current piping and instrumentation diagrams are not available for these facilities. Describe the status of unit drawings for each facility and Genera's plan to restore current documentation.

Reference: Revised Procedure, page 18, and May 2024 Order, Attachment A, Item 5, page 3.

24. Identify Genera's designated technical contacts for this proceeding and confirm Genera's availability for a technical conference with the Energy Bureau's staff and consultants regarding the Revised Procedure.

