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

IN RE: IN RE: REVIEW OF THE PUERTO RICO ELECTRIC POWER AUTHORITY'S 10-YEAR INFRASTRUCTURE PLAN-DECEMBER 2020	**CASE NO. NEPR-MI-2021-0002** **SUBJECT:** Motion Seeking Reconsideration of the Monthly Reporting Cadence for the Consolidated Project Cost Report as Established by the August 12, 2026, Resolution and Order

MOTION SEEKING RECONSIDERATION OF THE MONTHLY REPORTING CADENCE FOR THE CONSOLIDATED PROJECT COST REPORT AS ESTABLISHED BY THE AUGUST 12, 2026, RESOLUTION AND ORDER

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC, and **LUMA Energy ServCo, LLC**, (jointly referred to as "LUMA"), through the undersigned legal counsel and, respectfully submit the following:

I. Relevant Procedural Background

1. On February 5, 2026, this Honorable Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order ("February 5th Order") addressing the Consolidated FEMA Accelerated Award Strategy ("FAASt") Project Plan ("Consolidated List") submitted by the Puerto Rico Electric Power Authority ("PREPA"), LUMA and Genera PR, LLC.[1] The Energy Bureau found that LUMA's portfolio was materially impacted by the Consolidated List, which reduced active transmission and distribution ("T&D") projects from 571 to 282, leaving 289 projects designated as inactive. Accordingly, the Energy Bureau identified a subset of inactive projects included in Attachment A of the February 5th Order that must be resubmitted for reactivation using the reserved federal funding identified in the Consolidated List. Thus, the

[1] *See Informative Motion to Submit the Consolidated Project Plan* filed on August 8, 2025.

Energy Bureau established an Updated Allocation Framework to reallocate funding and reactivate priority T&D projects. *See*, February 5th Order, p. 4.[2]

2. On February 11, 2026, the Energy Bureau issued another Resolution and Order ("February 11th Order"), in which it modified Attachment A of the February 5th Order to prioritize projects with higher incurred costs. The Energy Bureau ordered PREPA to amend the Consolidated Project List to incorporate the projects identified in the revised Attachment A within ten (10) calendar days of the notification of the February 11th Order.

3. On March 2, 2026, LUMA filed a *Motion Submitting LUMA's Implementation Plan in Compliance with Resolutions and Orders of February 5 and February 11, 2026* ("March 2nd Motion"). Along with the March 2nd Motion, LUMA submitted four exhibits. *Exhibit 2* of the March 2nd Motion contained the FEMA Project Reconciliation Excel spreadsheet, which included two tabs of detailed expected costs for both the Consolidated List projects and the Attachment A projects reflecting cost duplication, overlaps, and Section 406-related adjustments.

4. On May 14, 2026, LUMA filed a *Motion Submitting LUMA's Adjusted Consolidated List, Proposed Attachment A, and Attachment B (Streetlights Projects)*. There, LUMA submitted, as *Exhibit 2,* an updated Consolidated Project List to address data input and inadvertent formula errors from the March 2nd Motion. *Exhibit 2* also included a new proposed Attachment A ("Proposed Attachment A"), which updated *Exhibit 2's* "Attachment A" tab of the March 2nd Motion. Finally, *Exhibit 2* contained an "Attachment B" tab ("Streetlights Proposal"),

[2] The February 5th Order also instructed LUMA to file an implementation plan within fifteen (15) calendar days identifying: (1) the specific estimated amount of funds that LUMA proposes to reconcile through the identification of duplication of funding between child projects and equipment and materials PWs cost overlaps, as well as any Section 406 mitigation-related adjustments (as applicable), (ii) confirmation that there are no additional T&D projects with identified or potential damages beyond those included in the inactive project list, and (iii) the estimated timeline required to complete such reconciliation actions in order to support the inclusion of priority inactive T&D projects consistent with the Updated Allocation Framework. *Id*., pp. 4-5.

which listed streetlight projects from which LUMA proposed removing the undergrounding scope to generate $143 million in savings. LUMA requested the Energy Bureau to recognize its adjusted Consolidated Project List, approve the Proposed Attachment A, and authorize the removal of the undergrounding scope from seventeen streetlight projects that are included in the Consolidated Project List to make room for the Streetlights Proposal.

5. On May 22, 2026, LUMA filed a *Motion Submitting LUMA's Attachment C-Global E&M Amendment*. There, LUMA submitted as *Exhibits 1 and 2*, its "Attachment C," which presented its proposed amendment to the FEMA FAASt Global Equipment and materials ("E&M") allocation (*Exhibit 1*) and the associated list of projects recommended for activation/reactivation using the freed funding capacity (*Exhibit 2*). LUMA requested that the Energy Bureau approve Attachment C, thereby reducing the allocation by $500 million, and that the freed funding capacity be redirected to activate/reactivate T&D projects identified in Attachment C, subject to applicable FEMA and Public Assistance review requirements.

6. On June 18, 2026, the Energy Bureau issued a Resolution and Order ("June 18th Order"). The Energy Bureau found that approving the Proposed Attachment A, as modified by the June 18th Order ("Modified Attachment A"),[3] was reasonable, necessary, and consistent with the Updated Allocation Framework. *See* June 18th Order, p. 3. Accordingly, the Energy Bureau approved the Modified Attachment A and ordered all projects included therein to be incorporated into the Consolidated Project List for continued FEMA and COR3 processing. *Id.*, p. 3. However, the Energy Bureau did not, at that time, approve the projects included in Attachments B and C for activation, reactivation, obligation, implementation, or construction. The Energy Bureau found that the projects in Attachments B and C required additional federal funding actions—including

[3] The Energy Bureau modified the Proposed Attachment A by including four additional streetlight projects under Attachment B and twenty vegetation clearance projects from Attachment C. June 18th Order, p. 4.

versioning, reconciliation, amendments, FEMA review, and confirmation of eligibility, allowability, cost reasonableness, and available funding—before it could approve them for activation/reactivation. Nonetheless, the Energy Bureau authorized LUMA to begin versioning actions related to removing the undergrounding scope and reconciling the proposed $500 million reduction to the Global E&M allocation under Attachment C. *Id.*, pp. 3-4.

7. To ensure compliance with the June 18th Order, the Energy Bureau ordered LUMA to file, on or before July 15, 2026, an informative motion which shall include, at a minimum: (a) project-by-project status update for all projects activated in the approved Attachment A as part of the updated Consolidated Project List; (b) identification of each versioning, reconciliation, amendment, or funding adjustment submitted to FEMA or COR3; (c) the amount of funding capacity identified, reconciled, or expected to be made available for Attachment A; (d) a work plan and schedule for the obligated project versioning actions, including identification of the projects for which undergrounding scope removal has been submitted or remains pending submission; (e) a work plan and schedule for the proposed $500 million Global E&M reconciliation, including any submission made to FEMA or COR3; (f) identification of any remaining funding gap, unresolved duplication-of-funding issue, or pending FEMA/COR3 action that could affect implementation of the Modified Attachment A; (g) a proposed schedule for any additional Energy Bureau action that LUMA believes may be required regarding Attachment B or Attachment C; and (h) a list of all inactive projects with updated cost estimates, including Section 428 costs, Section 406 costs, Global PW allocations (Section 428 and 406), expected total costs, incurred costs, and a ranking of projects in order of priority, as well as other relevant information. This list shall include, at a minimum, the projects not approved at this time in Attachment B and Attachment C, as well as

any other pending project identified for potential future activation or reactivation. *See* June 18th Order, p. 5.

8. On July 10, 2026, LUMA filed a *Motion for Extension of Time to Submit the List of All Inactive Projects with Updated Cost Estimate in Compliance with the June 18, 2026, Resolution and Order* ("July 10th Motion"). There, LUMA requested an extension of time until August 17, 2026, to submit the "list of all inactive projects with updated cost estimates, including Section 428 costs, Section 406 costs, Global PW allocations (Section 428 and 406), expected total costs, incurred costs, and a ranking of projects in order of priority, as well as other relevant information…"[4] ("List of Inactive Projects"). *See* June 18th Order, p. 5, ¶ 8, item (h).

9. On July 15, 2026, LUMA filed a *Submittal of LUMA's Report in Partial Compliance with the June 18, 2026, Resolution and Order*. There, LUMA partially complied with the June 18th Order by submitting three exhibits containing the information requested by the Energy Bureau in items (a) through (g) of the June 18th Order. *See* June 18th Order, p. 5, items (a)-(g).

10. On July 20, 2026, the Energy Bureau issued a Resolution and Order in which it granted LUMA's request for an extension until August 17, 2026, for the submittal of the List of Inactive Projects.[5]

11. On August 12, 2026, the Energy Bureau issued a Resolution and Order ("August 12th Order"). In what is pertinent to this motion, the Energy Bureau determined that, to provide ongoing oversight of the management of the Consolidated Project List, LUMA would have to

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[4] The June 18th Order adds that the "list shall include, at a minimum, the projects not approved at this time in Attachment B and Attachment C, as well as any other pending projects identified for potential future activation or reactivation." *Id.*, p. 5.

[5] In full compliance with the June 18th Order, LUMA submitted the List of Inactive Projects on August 17, 2026. *See Motion to Submit List of Inactive Projects in Compliance with the June 18, 2026, Resolution and Order*, filed by LUMA on August 17, 2026, in the present docket.

submit a monthly report ("Consolidated Project Cost Report"). The Consolidated Project Cost Report must identify, for each approved project, the "Energy Bureau-approved cost baseline, current projected cost, projected overrun or underrun, applicable Section 428 and Section 406 funding, and any material reconciliation or adjustment affecting the project." *See* August 12th Order, p. 5. LUMA must submit it in both native Excel format (with all formulas, links, assumptions, and calculations visible and functional) and PDF, including a narrative explaining any material variances and funding adjustments. *Id*. Accordingly, the Energy Bureau ordered LUMA "to submit by the 10th of each month, an updated list of all projects in the Consolidated Project List identifying the approved cost (including E&M and A&E Global PWs), FEMA obligated cost, current projected cost, and any projected overrun or underrun." *Id*. p. 6.

II. Reconsideration of the Monthly Reporting Cadence for the Consolidated Project Cost Report and Proposed Shift to a Quarterly Reporting Schedule

12. LUMA intends to fully comply with the reporting requirements for the Consolidated Project Cost Report as stated in the August 12th Order. However, LUMA respectfully requests that the Energy Bureau modify the monthly reporting cadence, set to begin on September 10, 2026, to a quarterly cadence. LUMA believes that a quarterly reporting period allows for the use of established validation processes, resources, and controls to ensure delivery of fully validated data without creating a separate monthly workflow. This extended cycle would also provide sufficient time to properly review, and reconcile data across all 386 LUMA active projects, keeping the consolidated portfolio accurate and balanced. A quarterly cycle also enables compilation of comprehensive records on projects, reconciliations, and amendments, thus giving LUMA the capacity to provide the Energy Bureau with complete information for a more thorough review.

13. In line with the above, LUMA also requests the Energy Bureau to establish a forty-five (45) day post-quarter deadline to submit the quarterly Consolidated Project Cost Report. If

granted, the next quarterly Consolidated Project Cost Report for the first quarter of fiscal year 2027 will be due on November 14, 2026, in alignment with other existing quarterly calendars and deadlines.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **modify** the reporting cadence to submit the Consolidated Project Cost Report from monthly to quarterly; and **establish a** forty-five (45) day post-quarter deadline for submitting the Consolidated Project Cost Report.

RESPECTFULLY SUBMITTED.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this Motion to PREPA via Alexis Rivera, alexis.rivera@prepa.pr.gov, and through its counsel of record, Natalia Zayas Godoy, nzayas@gmlex.net, Richard Cruz Franqui, rcruzfranqui@gmlex.net, and Mirelis Valle Cancel, mvalle@gmlex.net, to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfernandez@ecija.com, José J. Díaz Alonso, jdiaz@ecija.com, and Ernesto R. Ramos Maldonado, eramos@ecija.com.

In Guaynabo, Puerto Rico, on this 26th day of August 2026.

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