

**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: Motion to Inform Continued Partial
Activation of Emergency Operation Center and
Heightened Vigilance Regarding the Remnants of
Tropical Storm Dolly

NEPR

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**MOTION TO INFORM CONTINUED PARTIAL ACTIVATION OF EMERGENCY
OPERATION CENTER AND HEIGHTENED VIGILANCE REGARDING THE
REMNANTS OF TROPICAL STORM DOLLY**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR, LLC (“Genera”),¹ as agent of the Puerto Rico Electric Power Authority (“PREPA”),¹ through its counsels of record, and respectfully submits and prays as follows:

1. On July 15, 2026, the Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order approving Genera’s 2026 revision of its Emergency Response and Action Plan (“ERAP”).

2. On August 5, 2026, Genera filed a Motion to Inform Declaration of Emergency Regarding Water Supply for the Legacy Generation Assets (“August 5 Motion”), through which it informed the Energy Bureau that it had declared an Exigency/Emergency and partially activated its Emergency Operation Center (“EOC”), under a Type 4 classification, in response to the severe drought conditions affecting Puerto Rico and the resulting risk to water availability for certain Legacy Generation Assets (“LGA”).

¹ Pursuant to the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority and Genera, 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 PREB concerning any matter related to the performance of any of the O&M Services (as defined in the LGA OMA) provided by Genera under the LGA OMA.

3. On August 14, 2026, the Energy Bureau issued a Resolution and Order taking notice of Genera's declaration of emergency regarding water supply and the partial activation of its EOC under a Type 4 classification. The Energy Bureau also ordered Genera to submit monthly reports, beginning on September 4, 2026, detailing the specific actions and costs incurred in connection with the emergency declaration for water supply alternatives and activation of the ERAP.

4. The ERAP defines an Emergency as "any unplanned event that could cause death or significant injuries to employees or the public, or that can shut down or disrupt operations, cause physical damage to equipment, environmental damage, or threaten the Facility's financial standing or public image." *See* ERAP 2026, § 1.0.

5. When an Emergency occurs, Genera evaluates the impact of the incident and promptly undertakes the necessary measures to restore community lifelines, thereby reducing the effect on the people of Puerto Rico. For significant incidents, and to guide its response efforts, Genera relies on the Event Classification Types outlined in the approved ERAP. *See* ERAP 2026, § 7.1.

6. Once an Emergency is declared in accordance with the ERAP, Genera determines the appropriate EOC Activation Level and Event Classification Type. This determination is based on the nature of the event, the resources required, and the potential consequences. *See* ERAP 2026, §§ 7.2, 7.2.1.

7. As of August 28, 2026, the partial activation of Genera's EOC remained in effect due to the ongoing drought conditions impacting Puerto Rico. In addition, Genera maintained heightened vigilance regarding the remnants of Tropical Storm Dolly and their potential effects on the safe and reliable operation of the LGA.

8. The EOC continues under a Type 4 classification. The ERAP describes a Type 4 event as follows:

These events typically include system events that impact one or more [Power Generation] PG facilities. Type 4 events may be due to thunderstorms, high winds, frequent and/or severe lightning, unplanned outage, forced outage, or unanticipated events. Type 4 events may require coordination with other PG producers and the T&D Operator, but do not threaten system-wide stability. Restoration events classified as heightened alert involve response and restoration activities that are completed within a reasonable time frame and do not affect the power supply, the power reserve and stability of the electrical grid. Therefore, a heightened level of situational awareness and monitoring is implemented with more frequent communication taking place among decision-makers. Operator may choose, but is not required to, partially activate those positions necessary, i.e., Public Information Officer, Emergency Management Officer, and Liaison Officer. Internal conference calls may be scheduled regarding preparation for a future weather event. This can also be indicative of an isolated non-weather incident at a Genera PR facility or other property. See ERAP 2026, § 7.3.2.

9. Additionally, Section 5.13 of the LGA OMA requires Genera to notify the Energy Bureau “in writing of all Emergencies related to the Legacy Generation Assets upon receiving knowledge thereof.” See LGA OMA, § 5.13(b). This section further provides that:

[I]f at any time Operator determines in good faith that an Emergency Event exists with respect to the Legacy Generation Assets such that immediate action must be taken to (i) protect the safety of the public, Owner’s employees and Operator’s employees, (ii) protect the safety or integrity of the Legacy Generation Assets or prevent or limit environmental harm or (iii) mitigate the immediate consequences of such Emergency Event, Operator shall take all such action that it deems in good faith to be reasonable and appropriate under the circumstances in accordance with the Legacy Generation Emergency Response Plan. As promptly thereafter as is reasonable, Operator shall notify Administrator, PREB and any other person listed under the Legacy Generation Emergency Response Plan in writing of Operator’s response to such Emergency Event. Id.

10. On August 28, 2026, Genera notified the Puerto Rico Public-Private Partnerships Authority, as Administrator under the LGA OMA, that the partial activation of Genera’s EOC remained in effect due to the ongoing drought conditions and that Genera was maintaining heightened vigilance regarding the remnants of Tropical Storm Dolly. Genera further informed the Administrator that the EOC continued under a Type 4 classification in accordance with the ERAP.

11. In compliance with Section 5.13 of the LGA OMA and the approved ERAP, Genera hereby notifies the Energy Bureau of the continued partial activation of its EOC under a Type 4 classification and the heightened situational awareness and monitoring being maintained in connection with the remnants of Tropical Storm Dolly.

12. Genera will continue to monitor the ongoing drought conditions and the remnants of Tropical Storm Dolly, coordinate with the appropriate stakeholders as conditions evolve, and implement such measures as may be necessary to protect the LGA and preserve the continued safe and reliable operation of Puerto Rico's electric generation system.

WHEREFORE, Genera respectfully requests that the Energy Bureau take notice of the foregoing for all relevant purposes and deem Genera in compliance with Section 5.13 of the LGA OMA.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 31st day of August 2026.

ECIJA SBGB

P.O. Box 363068
San Juan, PR 00936-3068
Tel. (787) 300.3200
Fax (787) 300.3208

/s/ Jorge Fernández-Reboredo

Jorge Fernández-Reboredo
jfernandez@ecija.com
TSPR 9,669

/s/ José Javier Díaz Alonso

José Javier Díaz Alonso
jdiaz@ecija.com
TSPR 21,718

/s/ Ernesto Raúl Ramos Maldonado

Ernesto Raúl Ramos Maldonado
emaldonado@ecija.com
TSPR 23,882

CERTIFICATE OF SERVICE

We 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 we will send an electronic copy of this motion to arivera@prepa.pr.gov; rcruzfranqui@gmlex.net; mvalle@gmlex.net; margarita.mercado@us.dlapiper.com; laura.rozas@us.dlapiper.com; Yahaira.delarosa@us.dlapiper.com; emmanuel.porrogonzalez@us.dlapiper.com; and nzayas@gmlex.net.

In San Juan, Puerto Rico, this 31st day of August 2026.

/s/ Jorge Fernández-Reboredo

Jorge Fernández-Reboredo

/s/ José Javier Díaz Alonso

José Javier Díaz Alonso

/s/ Ernesto Raúl Ramos Maldonado

Ernesto Raúl Ramos Maldonado