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

IN RE: PLAN PRIORITARIO PARA LA ESTABILIZACIÓN DE LA RED ELÉCTRICA	**CASE NO. NEPR-MI-2024-0005** **SUBJECT: Motion in Compliance with September 10, 2026, Resolution and Order**

MOTION IN COMPLIANCE WITH SEPTEMBER 10, 2026, RESOLUTION AND ORDER

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC ("ManagementCo"), and **LUMA Energy Servco, LLC** ("ServCo") (jointly referred to as "LUMA"), through the undersigned counsel, and respectfully state and request the following:

I. Relevant Procedural Background

1. On February 27, 2025, this Puerto Rico Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("February 27th Order") ordering LUMA to present its position in regard to a request submitted by Genera PR, LLC ("Genera") to install additional Temporary Mobile Generators of approximately 800 MW[1], indicating the need for this temporary generation and capacity thereof. *See* February 27th Order, p. 1.

[1] See *Request for Expedited Approval of Emergency Generation Capacity Solutions* ("Genera Request") filed by Genera on February 25, 2025. In its request Genera sought the Energy Bureau's approval to implement proposed options for temporary generation to "allow for critical maintenance to be performed on existing power plants while stabilizing the grid in the short term" and "guarantee system stability while recovery projects are performed" consisting of installing additional Temporary Mobile Generators of approximately 800 MW for 18 months; substituting damaged units with pre-owned but functional generating units; and deploying generation barges to supplement the power supply. *See* Genera Request, ¶ 6 and WHEREFORE

2. On March 6, 2025, LUMA filed a preliminary response indicating that there was an immediate need for additional generation to meet customer demand and maintain adequate reserve, and that the addition of approximately 800 MW would materially improve resource adequacy and would allow planned unit replacements to proceed with less risk to system reliability. *See Motion Submitting LUMA's Position Regarding Genera's Request for Expedited Approval of Emergency Generation Capacity Solutions* ("March 6th Motion"), *Exhibit 1*, pp. 2- 3. LUMA cautioned, however, that it had not yet completed the site-specific, interconnection, fuel-supply, and feasibility analyses necessary to determine the full feasibility of installing the proposed 800 MW. *See id.*, *Exhibit 1*, pp. 5-7.

3. On March 12, 2025, the Energy Bureau issued a Resolution and Order ("March 12th Order") ordering LUMA to submit the additional studies indicated in the March 6th Motion. *See* March 12th Order, p. 2.

4. On March 19, 2025, this Energy Bureau issued a Resolution and Order ("March 19th Order") in which it stated that "given the emergency situation that we are confronting", it would adjudicate the request for acquisition of temporary generation submitted by Genera, before the additional studies due on March 24, 2025

5. On March 24, 2025, LUMA submitted a detailed analysis relating to Genera's proposal noting that a comprehensive assessment of individual project locations, interconnections, and fuel supply, including a System Impact Study and a Feasibility Study, were required to determine the full feasibility of any proposed solution and estimated the cost for the necessary interconnection studies to be approximately $200,000 per site, for an estimated total of $400,000 for the two-site project (i.e., Costa Sur and Aguirre). *See Motion in Compliance with Resolution and Order of March 12, 2025, and Request for Confidential Treatment.*

6. On March 28, 2025, the Energy Bureau issued a Resolution and Order in *In re: Puerto Rico Electric Power Authority's Permanent Rate*, Case no.: NEPR-MI-2020-0001 ("Permanent Rate Docket") ("March 28th Order"), whereby it approved the recovery, through the power purchase cost adjustment ("PPCA") clause, of the $400,000.00 for the necessary interconnection studies to interconnect temporary generation.

7. On September 10, 2026, the Energy Bureau issued a Resolution and Order ("September 10th Resolution") regarding the proposed contracts to provide capacity for temporary generation that were procured by the Third-Party Procurement Office (3PPO). The Energy Bureau noted that the interconnection studies for these projects were not part of the record and it lacked information regarding their actual cost and how the funds collected for them were used. Therefore, the Energy Bureau ordered LUMA to produce, within five (5) business days, "all documents related to any evaluation used to determine the feasibility of interconnecting temporary generation on the island." *Id*., p. 2 (translation ours). The Energy Bureau directed that said documents include but not be limited to: (i) an evaluation of the possible location of temporary generation; (ii) an evaluation of fuel supply; (iii) *System Impact Studies* and *Feasibility Studies*; and (iv) a reconciliation of funds collected and the actual costs incurred to carry out the referenced studies. The Energy Bureau further directed LUMA to inform the Energy Bureau of any factor or circumstance that could change the results of the feasibility evaluations submitted in response to the September 10th Resolution. *Id*.

II. Submittal of LUMA's Documentation on Interconnection Studies Regarding Temporary Generation

8. In compliance with the September 10th Resolution, LUMA hereby submits in *Exhibit 1*, the documents related to the evaluation used to determine the feasibility of interconnecting temporary generation on the island.[2]

9. LUMA notes that the *System Impact Studies* and *Feasibility Studies* were not conducted. On June 16, 2025, LUMA included the $400,000.00 that was approved for recovery under the March 28th PPCA reconciliation as incurred costs to maintain the funds as a reserve.[3] Nonetheless, in its June 30, 2025, Resolution and Order, the Energy Bureau adjusted the PPCA reconciliation and excluded the $400,000, meaning that the related billing was returned to customers.[4]

10. LUMA remains fully available to provide any additional information, documentation, or clarification that the Energy Bureau may require in connection with the information produced as part of *Exhibit 1*.

III. Request for Confidential Treatment

11. Various documents included within *Exhibit 1* contain critical energy infrastructure information ("CEII"), trade secrets, and other confidential information that warrants confidential treatment under applicable laws and regulations.

12. In accordance with the above, LUMA is submitting *Exhibit 1* under seal of confidentiality and respectfully requests that the Energy Bureau keep *Exhibit 1* in confidence until

[2] Supply fuel evaluations fall within Genera PR LLC's responsibility, not LUMA's. *Exhibit 1* does not contain any fuel supply evaluation related documents.
[3] *See Motion Submitting FCA and PPCA Reconciliation for March through May 2025 and Updated Annual Reconciliation and Submission of FCA, PPCA and FOS and annual Calculated Factors and Request for Confdiential Treatment*, Exhibit 2 – July-September 2025 Proposed Factors_Values, "Attachment 4" tab, Cell N95 (itemized as "Barge Viability").
[4] *See* June 30, 2025, Resolution and Order, n. 81 (reducing total reconciliation from previous period from $18,988,568.05 to $18,588,568.05), pp. 12-13.

redacted/public versions are submitted. In compliance with the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009 issued on August 31, 2016, as amended by the Resolution dated September 16, 2016 ("Policy on Management of Confidential Information"), LUMA will be submitting within the next ten (10) days a Memorandum of Law in support of this request, which will include redacted/public versions of the individual email and attachments found within *Exhibit 1* protecting the information deemed to be confidential.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the foregoing; **accept** *Exhibit 1* in compliance with the September 10th Resolution; **grant** LUMA's request to maintain *Exhibit 1* in confidence; and **deem** LUMA in compliance with the September 10th Resolution.

RESPECTFULLY SUBMITTED.

In Guaynabo, Puerto Rico, this 17th day of September 2026.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau and that electronic copies of this Motion will be notified via email to PREPA, via Alexis Rivera, alexis.rivera@prepa.pr.gov, and through its counsel of record Mirelis Valle Cancel, mvalle@gmlex.netand Natalia Zayas Godoy, nzayas@gmlex.net, and to Genera PR LLC, through its counsel of record Luis R. Roman-Negron, lrn@roman-negron.com; legal@genera-pr.com; regulatory@genera-pr.com.

DLA Piper (Puerto Rico) LLC
B-7 Tabonuco St.
Suite 1501
Guaynabo, PR 00968-3349
Tel. 787-945-9147 / 9109
Fax 939-697-6141 / 6190

/s/ Laura T. Rozas
Laura T. Rozas
RUA NÚM. 10,398
laura.rozas@us.dlapiper.com

/s/ Emmanuel Porro González
Emmanuel Porro González
RUA Núm. 23,704
Emmanuel.porrogonzalez@us.dlapiper.com

Exhibit 1

LUMA's Documentation on Interconnection Studies Regarding Temporary Generation

[Submitted under seal of confidentiality]