

**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: Order Directing Genera to Provide
Notice of Filing Concerning the Annual
Performance Test Procedure

RESOLUTION AND ORDER

On March 13, 2026, Genera PR LLC (“Genera”) filed with the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) its Equivalent Availability Factor (“EAF”) targets for FY2025 and FY2026, with its Annual Performance Test Procedure (“APT”) results as Exhibit A and its EAF, capacity, and heat rate calculations as Exhibit B.¹

On July 22, 2026, Genera submitted a revised version of the APT (the “Revised APT”) and requested confidential treatment.² On July 31, 2026, Genera filed a memorandum in support of its request for confidential treatment of the Revised APT.³

On August 19, 2026, the Energy Bureau issued a *Resolution and Order* (“August 19 Order”) through which directed Genera to respond to the Requirements of Information in Attachment A within fifteen (15) days of notification.

On August 26, 2026, the Energy Bureau issued a *Resolution and Order* (“August 26 Order”) through which authorizes its staff and consultants to hold informal technical meetings with Genera’s representatives to clarify the information and submission requirements in the August 19 Order and address questions about the Revised APT. The Energy Bureau clarified that any statements made by its staff or consultants during those meetings would be preliminary and nonbinding, and that only a written Resolution and Order issued by the Energy Bureau would constitute an official determination.

On September 2, 2026, representatives of Genera, LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, “LUMA”), and the Puerto Rico Public-Private Partnership Authority (“P3A”) met with the Energy Bureau’s staff and consultants for an informal technical session (“Technical Session”). During the Technical Session, LUMA’s representatives stated that LUMA had received neither the Revised APT, which was filed under seal, nor the APT results.

On September 3, 2026, Genera filed its responses to the August 19 Order and requested confidential treatment of Exhibit 3, which includes the final APT reports not included in the March 2026 Motion.⁴

Given LUMA’s statement during the Technical Session, the Energy Bureau **ORDERS** Genera to serve LUMA with the March 2026 Motion, the July 22 Motion, the September 3 Motion, and any other filings and documents regarding the APT within **five (5) days** of notification of this Resolution and Order. The Energy Bureau further **ORDERS** LUMA to file its comments on the Revised APT within **twenty (20) days** of receiving those documents from Genera. In addition, LUMA is hereby ordered to provide, within the same twenty (20)-day period, its responses to the Requests for Information included in Attachment A to this Resolution and Order. To the extent that LUMA does not have access to any of the documents referenced in Attachment A,

¹ See *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*, filed by Genera on March 13, 2026 (“March 2026 Motion”).

² See *Motion to Submit Revised Annual Performance Test Procedure* filed by Genera on July 22, 2026 (“July 22 Motion”).

³ See *Memorandum of Law in Support of Confidential Treatment of the Revised Annual Performance Test Procedure Submitted on July 22, 2026* filed by Genera on July 31, 2026 (“July 31 Motion”).

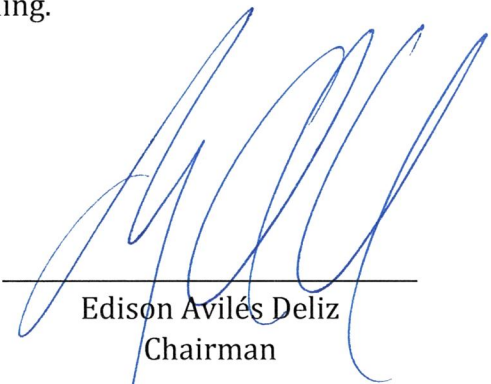
⁴ See *Motion to Submit Responses to the August 19, 2026 Requirements of Information and Request for Confidential Treatment* filed by Genera on September 3, 2026 (“September 3 Motion”).

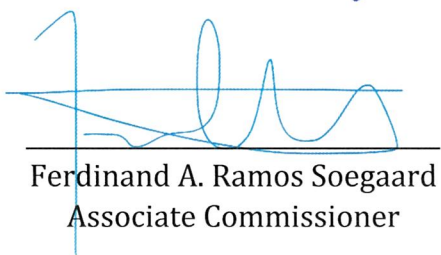


LUMA shall request such documents from Genera, and Genera shall produce them to LUMA within five (5) days of LUMA’s request.

The Energy Bureau further **DIRECTS** that LUMA be served with all documents subsequently filed or issued in this proceeding.

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 has so agreed on September __, 2026. I also certify that on September __, 2026 a copy of this Resolution and Order was notified by electronic mail to PREBorders@lumapr.com; Alejandro.figueroara@lumapr.com; legal@lumapr.com; jfernandez@ecija.com; eramos@ecija.com; jdiaz@ecija.com; legal@genera-pr.com; regulatory@genera-pr.com. I also certify that today, September __, 2026, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today September __, 2026.


Sonia Seda Gaztambide
Clerk



Attachment A

Requirements of Information Directed to LUMA

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 exhibits is quoted.

- **September 3 Responses.** Docket file 20260903 MI20230003 Motion to Submit Responses to the August 19, 2026 Requirements of Information and Request for Confidential Treatment.pdf, including Exhibit 1 (responses), Exhibit 2 (corrected Exhibit A spreadsheet, native Excel workbook), and Exhibit 3 (supplemental final APT reports, filed under seal, confidential treatment requested).
- **August 19 Order.** Docket file 20260819 MI20230003 Resolution and Order.pdf, including Attachment A, Requirements 1 through 24.
- **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:
 - o 20260313 MI20230003 GENERA EAF TARGETS FOR FY25 FY26 SUBMIT APT RESULTS.pdf
 - o 20260313 MI20230003 GENERA Exhibit A.xlsx (single tab, Table with HR Changes)
 - o 20260313 MI20230003 GENERA Exhibit B.xlsx (tabs KPI_FY 24-25, KPI_FY 24-25 (OMC), Metrics ACUM, Metrics ACUM (OMC), and OMC Hrs)
- **Generation OMA.** Annex 2 (Equivalent Availability Factor), pages 5 and 6, and Sections 4.2(v) and 5.22.

1. State whether LUMA has received the APT results. Provide LUMA's observations, from the perspective of the T&D System Operator, on the 2024 Procedure and on the Revised Procedure, including the sufficiency of the reported test information for grid planning purposes.

Reference: March 2026 Submission. Revised Procedure (upon access granted by this Resolution and Order).

2. For the FY25 APT campaign, identify each test for which LUMA received notification, the date and form of that notification, each test that LUMA personnel attended or witnessed, and any feedback LUMA provided. If LUMA received no notification for a given test, state so.

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

3. For the net electrical output metering associated with each Legacy Generation Asset, provide the meter identification, current calibration status, the date and standard of the last calibration, the corresponding calibration certificates, and the schedule for any pending calibration work.

Reference: 2024 Procedure, pages 10 and 39. September 3 Responses, Exhibit 1, Requirements 10 and 17.



4. Identify each Legacy Generation Asset where LUMA has issued a decommissioning notice, certificate, or equivalent notification, between January 2024 and March 2026, with the corresponding date the notice was made to identify Generation Assets that are no longer considered connected or dispatchable to the Electrical Power System.

