

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

NEPR

Received:

Sep 30, 2026

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IN RE: Priority Plan for Electric Grid
Stabilization

CASE NO.: NEPR-MI-2024-0005

**PREPA'S MOTION FOR BRIEF EXTENSION OF TIME TO COMPLY WITH THE
SEPTEMBER 14, 2026 RESOLUTION AND ORDER**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW the Puerto Rico Electric Power Authority ("PREPA"), through its undersigned legal representation, and respectfully **STATES AND PRAYS** as follows:

1. On September 14, 2026, the Puerto Rico Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") issued a *Resolution and Order* (the "September 14 Resolution") addressing, among other matters, PREPA's responses to the Requirements of Information ("ROIs") issued by the Energy Bureau in a prior *Resolution and Order* dated August 30, 2026 ("August 30 Order").

2. As relevant herein, the September 14 Resolution ordered PREPA to supplement, on or before September 30, 2026, its responses to ROIs 30, 32, and 33 of the August 30 Order with: (i) all correspondence and agreements requested therein, including the May 13, 2025 correspondence from NFE Power PR LLC, (ii) the correspondence relating to the award and cancellation of RFP 2024-0607, and (iii) the results of PREPA's inquiry to the Puerto Rico Public-Private Partnerships Authority ("P3A").

3. The Energy Bureau also ordered PREPA and Genera PR LLC ("Genera") to confer and jointly file, on or before September 30, 2026, a statement supported by the related correspondence identifying: (i) each written request made under the March 15, 2024 Side Letter, its date, the party that made it, and the units to which it referred; (ii) each major maintenance performed by the Seller and the certification obtained; (iii) the number of major maintenance completions that remain available and whether the parties contend that they remain enforceable; and (iv) the status, participants, and subject of the negotiation with the Seller referenced in Genera's response to ROI 24(a).

a. Request for Three-Business-Day Extension to Complete PREPA's Supplemental Document Production

4. PREPA has been diligently working to complete the supplemental production required by the September 14 Resolution.

5. As part of that effort, PREPA is currently finalizing its review of relevant documents contained in its historical archives to confirm that it has identified all documents responsive to the Energy Bureau's directive, including all correspondence and other responsive documents relating to the award of RFP 2024-0607 and all correspondence and other responsive documents relating to the cancellation of RFP 2024-0607.

6. PREPA has made substantial progress in identifying potentially responsive documents. Nevertheless, additional time is necessary to complete its review of the historical archive and confirm that its supplemental production is

complete and includes all responsive documents within PREPA's possession, custody, or control.

7. Accordingly, PREPA respectfully requests a brief extension of three (3) business days, **until Monday, October 5, 2026**, to complete its review and submit the supplemental document production required by the September 14 Resolution.

8. The requested extension is limited in duration and is sought to ensure that PREPA's production is complete, rather than submitting a partial production while its review of potentially responsive historical records remains ongoing. The additional time is also necessary in light of the substantial and concurrent responsibilities that PREPA must discharge with limited personnel, including matters essential to its ongoing operations, proceedings before federal and local courts and governmental agencies, and multiple regulatory matters pending simultaneously before this Energy Bureau, all of which require the attention and coordination of the same limited personnel involved in the review and production required herein.

b. Request for Seven-Business-Day Extension to Respond to the Energy Bureau's Directive to Submit Joint Statement

9. PREPA separately requests an extension of seven (7) business days, until **Friday, October 9, 2026**, to comply with the Energy Bureau's directive requiring PREPA and Genera to confer and jointly respond to the four (4) matters identified in paragraph 3 above.

10. In accordance with the Energy Bureau's directive that PREPA and Genera confer regarding these matters, today, September 30, 2026, counsel for

PREPA and counsel for Genera met to discuss the questions posed by the Energy Bureau and the information necessary to prepare the required joint submission.

11. PREPA is, however, still reviewing its historical archives to confirm that it has located all documents responsive to the Energy Bureau's questions, particularly the historical correspondence and records necessary to determine the written requests, if any, made under the March 15, 2024 Side Letter and the circumstances surrounding the major maintenance services contemplated thereunder.

12. Completion of that review is necessary for PREPA to formulate its proposed responses based on a complete documentary record. The September 14 Resolution itself requires the parties' joint statement to be supported by the related correspondence.

13. Once PREPA completes its review, it must evaluate the documents and information identified by Genera together with those identified by PREPA, prepare proposed responses to each of the four matters identified by the Energy Bureau, and confer again with Genera to determine whether, and to what extent, the parties can stipulate or file joint responses supported by the underlying documentary record.

14. The additional time requested is therefore necessary not merely to collect documents, but also to allow PREPA and Genera to complete the conferral process ordered by the Energy Bureau and determine whether the factual responses can be jointly stipulated based upon the complete record identified by both parties.

15. PREPA respectfully submits that the requested seven-business-day extension will facilitate a more complete, accurate, and useful response to the Energy Bureau by allowing the parties to base their joint submission on the relevant

documentary record rather than requiring them to submit incomplete responses before PREPA has concluded its review.

16. PREPA recognizes the importance the Energy Bureau has placed on obtaining complete and documented responses in this proceeding. Indeed, in the September 14 Resolution, the Energy Bureau expressly recognized that "complete, documented responses will be more useful to this probe than incomplete ones." The extensions requested herein are consistent with that objective and are sought for the limited purpose of ensuring that PREPA's supplemental production and the parties' potential joint submission are complete and supported by the responsive documentary record.

17. These requests are made in good faith, are limited to the time PREPA reasonably requires completing the foregoing review and coordination, and are not sought for purposes of delay.

18. Moreover, during the Technical Conference held on September 14, 2026, in the above-captioned case, Genera appeared to articulate a position concerning the parties' respective roles and responsibilities with respect to the units at issue that differs materially from PREPA's understanding of those roles and responsibilities. This divergence raises issues that may extend beyond the non-adversarial regulatory matters presently under consideration and may implicate an actual or potential adversarial legal controversy between PREPA and Genera concerning their respective rights, obligations, and responsibilities. Accordingly, in preparing any separate or joint submission responsive to the Energy Bureau's directive, PREPA must carefully evaluate the legal implications of the positions

advanced by Genera, as well as the underlying documents and applicable contractual framework, to ensure that any such submission accurately reflects PREPA's position and does not inadvertently prejudice, waive, or otherwise affect any of PREPA's rights, claims, defenses, privileges, or remedies in connection with any actual or potential controversy between the parties. This additional legal review further supports the limited extension requested herein.

WHEREFORE, PREPA respectfully requests that the Energy Bureau take notice of the foregoing and: (a) **GRANT** PREPA an extension of three (3) business days, until October 5, 2026, to complete and submit the supplemental production required by the September 14 Resolution and Order with respect to PREPA's responses to ROIs 30, 32, and 33; and (b) **GRANT** PREPA an extension of seven (7) business days, until October 9, 2026, to complete the required conferral with Genera, evaluate the factual and legal implications of the parties' respective positions, and submit the statement required by the September 14 Resolution and Order, whether jointly to the extent the parties are able to stipulate to the responses, or separately to the extent necessary to preserve and accurately state PREPA's position, rights, claims, defenses, privileges, and remedies.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 30th day of September 2026.

CERTIFICATE OF FILING AND SERVICE: It is hereby certified that this document was filed with the Office of the Clerk of the Energy Bureau through its electronic filing system, available at <https://radicacion.energia.pr.gov/login>. It is further certified that a file-stamped copy of the foregoing document was served upon the parties in the

above-captioned proceeding at the following email addresses: LUMA Energy, LLC and LUMA Energy ServCo, LLC, through Margarita Mercado, margarita.mercado@us.dlapiper.com; Emmanuel Porro González, Emmanuel.porrogonzalez@us.dlapiper.com; Laura Rozas, laura.rozas@us.dlapiper.com; RegulatoryPREBOrders@lumapr.com; and Genera PR LLC through: lrn@roman-negron.com; legal@genera-pr.com; regulatory@genera-pr.com.

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