

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

NEPR

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IN RE:

YABUCOA DECOMMISSIONING PLAN

CASE NO.: NEPR-MI-2026-0006

SUBJECT: Motion to Submit Updated Yabucoa Decommissioning Plan in Compliance with Resolution and Order of September 10, 2026

**MOTION TO SUBMIT UPDATED YABUCOA DECOMMISSIONING PLAN IN
COMPLIANCE WITH RESOLUTION AND ORDER OF SEPTEMBER 10, 2026**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC ("Genera"), 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 1, 2026, Genera filed its *Motion to Submit Yabucoa Decommissioning Plan Pursuant to Article 16 of the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (the "July 1 Motion"). Through it, Genera submitted, under seal, its proposed Yabucoa Decommissioning Plan (the "Plan"), together with the Yabucoa Community Relations Plan, in response to the Decommissioning Notice issued by the Puerto Rico Public-Private Partnerships Authority ("P3 Authority") on June 2, 2026, pursuant to Section 16.1(a) of the LGA OMA.² On July 10, 2026, Genera filed a memorandum of law in support of the confidential treatment of the Plan.

¹Pursuant 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 the Energy Bureau with respect to 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.

²Referred to in the September 10 Resolution as the "Generation OMA."

2. On September 10, 2026, the Energy Bureau issued a Resolution and Order in the above captioned case (the "September 10 Resolution") approving the Plan, subject to (i) the adjustments to the Proposed Decommissioning Budget outlined in Part III(G)(1) thereof, and (ii) the conditions concerning the removal and preservation of diesel fuel storage and distribution infrastructure established in Part III(J) thereof. In the September 10 Resolution, the Energy Bureau also approved the Employee Transition Plan (Part III(F)); approved a Decommissioning Budget of \$2,699,780, subject to the adjustments referenced in Part III(G)(1) (Part III(G)(2)); and ordered Genera to submit monthly status reports (Part III(I)). Finally, the Energy Bureau directed Genera to submit an updated version of the Plan addressing the adjustments and conditions set forth therein, for the Energy Bureau's review prior to commencing the Plan's execution (Part IV).

3. In compliance with the September 10 Resolution, Genera hereby submits the updated Yabucoa Decommissioning Plan (the "Updated Plan"), attached hereto as **Exhibit A**. Exhibit A is submitted under seal.

4. The Updated Plan addresses the adjustments and conditions set forth in Parts III(G)(1) and III(J) of the September 10 Resolution, as discussed below.

5. In Part III(G)(1) of the September 10 Resolution, the Energy Bureau determined that Genera, which has been responsible for the operations of the Yabucoa Power Station since July 2023, is responsible for the indirect expenses identified in the Plan and for the removal of the chemicals, hazardous materials, and transformer oil described therein, as activities integral to the decommissioning. Consistent with that determination, the Updated Plan replaces references to "Owner" as the party responsible for such activities with "Genera." This revision is also consistent with Section 16.2 of the LGA OMA, pursuant to which Genera is the sole entity responsible for procuring and administering funds for the Decommissioning Budget.

6. In Part III(J) of the September 10 Resolution, the Energy Bureau conditioned the removal of the existing diesel fuel storage and distribution infrastructure upon the preservation of the intended dual fuel capability of the replacement peaking units at the Yabucoa Power Station. To address this condition, the Updated Plan includes a clarification that the replacement peaking project, as approved by the Federal Emergency Management Agency, includes new diesel fuel storage and distribution infrastructure to replace the existing infrastructure and to receive, store, transfer, and deliver diesel fuel to the replacement units, which have been specified to operate with dual fuel capability. Accordingly, the removal of the existing infrastructure contemplated in the Plan will not render the replacement peaking units dependent upon natural gas as their sole practically available fuel source.

7. **Exhibit A** contain the same categories of information for which Genera requested confidential treatment in its July 10, 2026 memorandum of law, namely commercially sensitive information, trade secrets, and Critical Energy Infrastructure Information, the public disclosure of which would jeopardize an ongoing procurement process and compromise the security of Puerto Rico's critical energy infrastructure. Therefore, Genera respectfully requests that **Exhibit A** be treated as confidential in accordance with the Energy Bureau's Policy on Management of Confidential Information, Case No. CEPR-MI-2016-0009, as amended, and incorporates by reference the grounds set forth in its July 10, 2026 memorandum of law.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the foregoing for all purposes; **accept** the Updated Yabucoa Decommissioning Plan submitted under seal as Exhibit A ; **grant** confidential treatment to **Exhibit A** ; **deem** Genera to be in compliance with the September 10 Resolution; and **authorize** Genera to commence execution of the Updated Plan.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 2nd day of October 2026.

ECIJA SBGB

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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 alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; margarita.mercado@us.dlapiper.com; yahaira.delarosa@us.dlapiper.com; emmanuel.porrogonzalez@us.dlapiper.com.

In San Juan, Puerto Rico, this 2nd day of October 2026.

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ Ernesto Raúl Ramos Maldonado
Ernesto Raúl Ramos Maldonado

/s/ José Javier Díaz Alonso
José Javier Díaz Alonso

Exhibit A - Confidential
Updated Yabucoa Decommissioning Plan
[Exhibit has been filed under seal]