

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

IN RE:
REVIEW OF THE PUERTO RICO ELECTRIC
POWER AUTHORITY'S 10-YEAR
INFRASTRUCTURE PLAN-DECEMBER 2020

CASE NO.: NEPR-MI-2021-0002

SUBJECT: Resolution and Order for Motion
Submitting Ten (10) Amended FEMA
Approvals of Project

RESOLUTION AND ORDER

I. Introduction

On September 8, 2026, LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, "LUMA") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Motion Submitting Ten (10) Amended FEMA Approvals of Project, Request for Confidential Treatment, and Supporting Memorandum of Law* ("September 8 Motion"). LUMA previously submitted Federal Emergency Management Agency ("FEMA") approvals for the Projects identified below through filings dated September 20, 2024, February 11, 2025, and September 26, 2025, as applicable. LUMA states that the Projects were de-obligated by FEMA on August 27, 2026.

The approved automation and vegetation SOWs were subsequently divided into individual projects. The ten (10) T&D Projects relevant to the instant Resolution and Order are:

- [745856] FAASt [Automation Program Group 14 DAR ARECIBO 8404- FY24] (Distribution);
- [745859] FAASt [Automation Program Group 18: DAR - SAN JUAN 2001- FY24] (Distribution);
- [745861] FAASt [Automation Program Group 12: DAR - ARECIBO 7402, 7403, 7702 FY24] (Distribution);
- [752808] FAASt [Automation Program Group 19: Arecibo] (Distribution);
- [752810] FAASt [Automation Program Group 20: Caguas] (Distribution);
- [755211] FAASt [Automation Program Group 15] (Distribution);
- [757689] FAASt [Automation Program Group 24] (Distribution);
- [757696] FAASt [Automation Program Group 31] (Distribution);
- [800286] FAASt [Automation Program Group 36] (Distribution); and
- [956349] FAASt [San Juan Region 1 Transmission Line 36800 - Canovanas TC to Palmer TC] (Vegetation).

The September 8 Motion explains that the amended approvals reflect different types of FEMA versioning actions, including changes in scope and cost, alignment of Section 428 Public Assistance ("PA") and Section 406 Hazard Mitigation Program ("HMP") costs, fund-code corrections, and amendments intended to offset prior Consolidated Resource Center ("CRC") gross costs. LUMA also reiterates that, for certain Sub-FAASt transactions containing both positive and negative Section 428 and Section 406 modifications, FEMA processes the positive adjustment in the current version and the corresponding negative adjustment through a subsequent version because of Grants Manager system limitations.

II. Request for Confidential Treatment

In the September 8 Motion, LUMA requests confidential treatment for portions of Exhibit 1. LUMA states that the amended FEMA approvals contain Critical Energy Infrastructure Information ("CEII"), including express coordinates, physical addresses, detailed system information, and other infrastructure-specific information. LUMA submitted redacted public



versions and requested confidential treatment for the corresponding unredacted information pursuant to Section 6.15 of Act 57-2014¹, the Energy Bureau's Policy on Management of Confidential Information², and applicable federal authorities related to CEII, including 18 C.F.R. § 388.113 and 6 U.S.C. §§ 671-674.

LUMA identified the following portions of Exhibit 1 as containing confidential information:

- FAASt [Automation Program Group 14 DAR ARECIBO 8404- FY24] (Distribution): pages 1, 3-9, 16, 19, 21-43, and 46;
- FAASt [Automation Program Group 18: DAR - SAN JUAN 2001- FY24] (Distribution): pages 1-2;
- FAASt [Automation Program Group 12: DAR - ARECIBO 7402, 7403, 7702 FY24] (Distribution): pages 1, 3-14, 21, 23-31, and 34;
- FAASt [Automation Program Group 19: Arecibo] (Distribution): pages 1, 3-10, 18, 20-41, and 43;
- FAASt [Automation Program Group 20: Caguas] (Distribution): pages 1, 3-12, 20, 22-31, and 34;
- FAASt [Automation Program Group 15] (Distribution): pages 1, 3-4, 12, 18, 24, 30, 32, 34, 37, and 46-47;
- FAASt [Automation Program Group 24] (Distribution): pages 1, 3-11, 19, 23-39, 41-48, and 53;
- FAASt [Automation Program Group 31] (Distribution): pages 1, 3-10, 17, 19-24, 27, and 29;
- FAASt [Automation Program Group 36] (Distribution): pages 1, 3-9, 17, 20, 22-29, 31-34, 36, 38-42, and 45; and
- FAASt [San Juan Region 1 Transmission Line 36800 - Canovanas TC to Palmer TC] (Vegetation): pages 1-2, 4, 11, and 13.

III. Evaluation and Analysis

The September 8 Motion does not request approval of new projects. Rather, it submits amended FEMA approvals for ten (10) Projects that were previously approved by the Energy Bureau. The filing therefore complies with the Energy Bureau's prior directives requiring LUMA to submit evidence of FEMA and/or COR3 approvals and the corresponding obligated costs after such approvals are received.

The Energy Bureau reviewed the amended FEMA documentation and observes that the current versions do not all represent a final, fully reconciled allocation between Section 428 PA and Section 406 HMP costs. The amendments reflect the following principal changes:

- **Project titles: Automation Groups 12, 14, 15, 18, 19, 20, 24, 31 and 36):** were created to incorporate the positive cost adjustment, including the applicable Section 406 Hazard Mitigation scope and costs, while the corresponding negative adjustment associated with the CRC gross cost from the prior version will be processed through a subsequent project version, consistent with FEMA's system limitations.
- **Project No. 956349 (Transmission Line 36800 - Canovanas TC to Palmer TC):** Version 1 captures additional miles identified for vegetation clearing, aligns Section 428 and Section 406 costs based on the cost split reflected in the amendment, and updates scope and cost information. However, the cost amounts reflected in the Project Report could not be validated because the cost tables were misaligned within the document, preventing a reliable review of the reported values.

¹ Known as the *Energy Transformation and RELIEF Act of Puerto Rico*, as amended ("Act 57-2014").

² Resolution, *In re: Policy on Management of Confidential Information in Procedures before the [Bureau]*, Case No.: CEPR-MI-2016-0009, August 31, 2016 as amended by Resolution issued on September 21, 2016.



The Energy Bureau **TAKES NOTICE** of LUMA's explanation regarding FEMA's processing of positive and negative adjustments through separate Sub-FAAST project versions. Nevertheless, the use of multiple versions means that the amount shown as obligated or de-obligated in a particular FEMA version may be an interim amount and may not, by itself, reflect the final project-level distribution between Section 428 PA, Section 406 HMP, Global A&E, and Global E&M costs.

Accordingly, acceptance of the amended FEMA approvals shall not be construed as authorization to increase, transfer, reclassify, or otherwise modify the amounts allocated to these Projects under the Consolidated Project List or any applicable Energy Bureau allocation framework. Any changes resulting from reclassification, de-obligation, reconciliation, fund-code correction, or subsequent FEMA versioning remain subject to the Energy Bureau's applicable funding allocations, reporting requirements, reconciliation requirements, and cost controls.

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TR The Energy Bureau further determines that completion of FEMA's versioning process and a project-by-project reconciliation are necessary to establish the final Section 428 and Section 406 allocations and to determine whether any Section 428 funding capacity is released, reduced, or otherwise affected. In particular, the amended approvals for Automation Groups 18 and 15 describe CRC-offset transactions that require confirmation once the applicable versions reach their final processing status, while several other amended approvals expressly contemplate subsequent versions that will process negative adjustments.

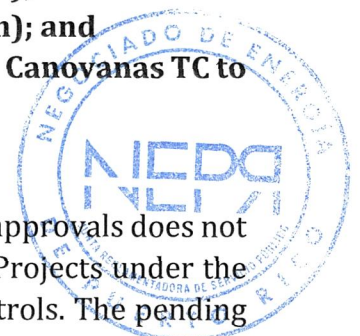
With respect to LUMA's request for confidential treatment, Section 6.15 of Act 57-2014 authorizes the Energy Bureau to protect information submitted before it when, after evaluation, the Energy Bureau determines that the information merits confidential treatment. Upon review of LUMA's request, the Energy Bureau determines that the identified portions of Exhibit 1 qualify as CEII because they contain detailed information regarding specific electric infrastructure, facility locations, coordinates, and system configuration that could compromise the security or resilience of critical electric infrastructure if publicly disclosed.

IV. Conclusion

The Energy Bureau **TAKES NOTICE OF and ACCEPTS** the amended FEMA approvals submitted by LUMA for the following Projects, which were previously approved by the Energy Bureau:

- [745856] FAAST [Automation Program Group 14 DAR ARECIBO 8404- FY24] (Distribution);
- [745859] FAAST [Automation Program Group 18: DAR - SAN JUAN 2001- FY24] (Distribution);
- [745861] FAAST [Automation Program Group 12: DAR - ARECIBO 7402, 7403, 7702 FY24] (Distribution);
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- [800286] FAAST [Automation Program Group 36] (Distribution); and
- [956349] FAAST [San Juan Region 1 Transmission Line 36800 - Canoyanas TC to Palmer TC] (Vegetation).

shan The Energy Bureau **DETERMINES** that acceptance of the amended FEMA approvals does not authorize any increase or modification to the funding allocated to these Projects under the Consolidated Project List or other applicable Energy Bureau funding controls. The pending



FEMA versioning and reconciliation processes must be completed before any resulting change in available Section 428 funding capacity may be recognized.

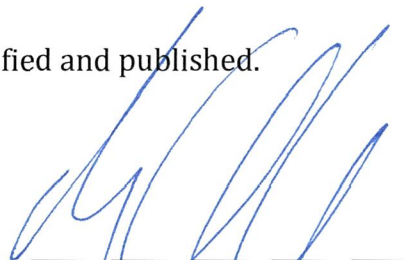
For Project No. 956349 (San Juan Region 1 Transmission Line 36800 - Canovanas TC to Palmer TC), LUMA **SHALL** re-submit the project report to allow the Energy Bureau to complete its validation of the FEMA-approved Section 428 and Section 406 cost.

Accordingly, the Energy Bureau **ORDERS LUMA** to submit copies of any subsequent FEMA approval, amended obligation, project version, de-obligation, cost modification, or other FEMA action for the ten (10) projects identified above within ten (10) calendar days of receipt. If any such action results in a project cost increase relative to the corresponding cost reflected in the Consolidated Project List, LUMA **SHALL** identify the resulting funding gap and the specific project(s) within its approved portfolio from which cost reductions or other funding adjustments will be made to cover such increase. For any cost decrease, LUMA **SHALL** identify the resulting available funding capacity. Any resulting change to the Consolidated Project List remains subject to the Energy Bureau’s applicable approval, allocation, reconciliation, and reporting requirements.

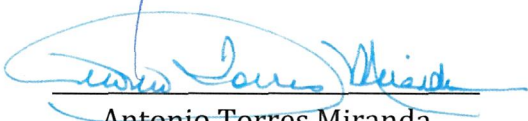
The Energy Bureau **GRANTS** LUMA's request for confidential treatment, as Critical Energy Infrastructure Information, of the portions of the ten amended FEMA approvals identified in Section II of this Resolution and Order.

The Energy Bureau **WARNS LUMA** that noncompliance with any provision of this Resolution and Order may result in the imposition of fines under Act 57-2014, applicable Energy Bureau regulations, and any other sanctions deemed appropriate by the Energy Bureau.

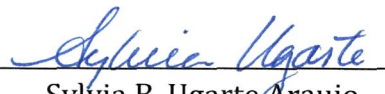
Be it notified and published.



Edison Avilés Deliz
Chairman



Antonio Torres Miranda
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



Omar M. Rodríguez González
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on October 7, 2026. Associate Commissioner Ferdinand A. Ramos Soegaard did not intervene. I also certify that on October 7, 2026, I have proceeded with the filing of this Resolution and Order and was notified by email to regulatory@genera-pr.com, legal@genera-pr.com, jfernandez@ecija.com, eramoss@ecija.com; jdiaz@ecija.com, sromero@ecija.com; alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net; Yahaira.delarosa@us.dlapiper.com; Emmanuel.porrogonzalez@us.dlapiper.com.

I sign this in San Juan, Puerto Rico, today October 7, 2026.





Sonia Seda Gaztambide
Clerk