

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

NEPR

Received:

Oct 15, 2026

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IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY'S PERMANENT RATE

Case No.: NEPR-MI-2020-0001

Motion in Compliance with Resolution and Order
of September 25, 2026, and to Respond to Fourth
Request for Information

**MOTION IN PARTIAL COMPLIANCE WITH RESOLUTION AND ORDER OF
SEPTEMBER 25,
2026 AND TO RESPOND TO FOURTH REQUEST FOR INFORMATION**

TO THE PUERTO RICO ENERGY BUREAU:

COMES NOW, GENERA PR, LLC (“Genera”), through its undersigned counsel and,
very respectfully, STATES and PRAYS as follows:

1. On September 25, 2026, the Puerto Rico Energy Bureau (“Energy Bureau” or “PREB”) issued a *Resolution and Order* in the above captioned proceeding (the “September 25 Resolution”), through which it issued a Fourth Request for Information (“Fourth RFI”) concerning, among other matters, the natural gas supply interruption at San Juan, the take-or-pay and deliver-or-pay consequences under the applicable natural gas supply agreements, and the fuel cost forecasts underlying the proposed FCA, PPCA, and FOS factors for October through December 2026.

2. Through the *September 25 Resolution*, the Energy Bureau ordered Genera, LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, “LUMA”), and the Puerto Rico Electric Power Authority (“PREPA”) to submit written responses to the Fourth RFI. Attachment A to the *September 25 Resolution* separately identifies the questions directed to each entity, with Part A containing the questions directed to Genera.

3. The *September 25 Resolution* further directed the parties to supplement their responses as additional information became available. In particular, the Energy Bureau characterized the Fourth RFI as being of a continuing nature and directed Genera, LUMA, and PREPA to supplement their responses, without further order, upon the occurrence of the events specified therein and as new responsive information becomes available.

4. After two requests for extensions of time, Genera has now mostly completed the compilation and review of the information necessary to respond to the Fourth RFI. Accordingly, in compliance with the *September 25 Resolution*, Genera hereby submits, as **Exhibit A** to this Motion, its responses to the questions contained in the Fourth RFI directed to Genera, together with the supporting information and documentation identified therein, except for questions: 4.1(b), 4.1(c), 4.1(f), 4.3(a), 4.3(b), 4.3(b), 4.3(c), 4.5, 4.6, 4.11(3) and 4.13-4.16.

5. Despite Genera's best efforts, the responses to the foregoing questions could not be completed. Accordingly, a brief extension of 8 days, until October 23, 2026, is hereby requested to complete our responses to those questions.

6. Genera respectfully submits that the responses contained in Exhibit A provide the information presently available to Genera and responsive to the Fourth RFI. To the extent that the individual responses identify additional information or documentation that remains pending or is otherwise subject to supplementation, Genera will supplement its responses as appropriate and in accordance with the continuing obligations established in the *September 25 Resolution*.

7. Genera further acknowledges the Energy Bureau's directive that the Fourth RFI is of a continuing nature and will continue to supplement its responses, without further order, as required by the *September 25 Resolution* upon the occurrence of any of the events identified therein or as additional responsive information becomes available.

8. Finally, Exhibit # 3 to the Genera Responses contains confidential and protected information. Accordingly, Genera requests that Exhibit #3 be kept confidential pursuant to PREB's Policy on Management of Confidential Information, CEPR-MI-2016-0009, as amended on September 21, 2016. Through a separate filing, within the next ten (10) days, as set forth in Section A.2 of the PREB's policy on Management of Confidential Information, Genera will present a memorandum of law in support of its request to treat as confidential, and to protect as such, this Exhibit

WHEREFORE, Genera respectfully requests that the Energy Bureau take notice of the foregoing; receive and accept Genera's responses attached hereto as Exhibit A, together with the supporting information and documentation identified therein; grant a brief extension of 8 days to finalize the responses to questions 4.1(b), 4.1(c), 4.1(f), 4.3(a), 4.3(b), 4.3(b), 4.3(c), 4.5, 4.6, 4.11(3) and 4.13-4.16; accept Exhibit # 3 as confidential; and deem Genera in partial compliance with the *September 25 Resolution's* requirement to submit its responses to the Fourth RFI.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 15th day of October, 2026.

It is hereby certified that this Motion was filed using the electronic filing system of this Energy Bureau, and that electronic copies of this Motion will be notified to the following attorneys who have filed a notice of appearance in this case: RegulatoryPREBOrders@lumapr.com; yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com; katiuska.bolanos-lugo@us.dlapiper.com; hrivera@jrsp.pr.gov; legal@genera-pr.com; regulatory@genera-pr.com.

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s/Luis R. Román Negrón

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RUA 14,265

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Docket Number: NEPR-MI-2020-0001

In Re: Puerto Rico Electric Power Authority Permanent Rate

Re: Fourth Request for Information

A.1 – Forecast Underlying the Proposed October–December 2026 Factors

The Fuel Budget Report forecasts, for October, November and December 2026, LNG of 9,049,230, 7,655,311 and 7,826,574 MMBtu (\$87,921,414, \$75,479,074 and \$81,397,937); ULSD of 1,740,000 MMBtu in each month (\$59,529,000, \$57,279,000 and \$54,933,000); HFO of 4,410,000 MMBtu in each month (\$83,034,000, \$79,891,000 and \$77,154,000); and Total Fuel Purchase Cost of \$230,484,413.76, \$212,649,074.09 and \$213,484,936.90. Attachment 3 FCA projects total fuel costs of \$196,982,605.76, \$189,272,913.71 and \$184,887,981.25 for the same months, projects no diesel for the "TM Generators" and "Palo Seco Mobile Packs" in any month, and projects diesel at San Juan Combined Cycle Units 5 and 6 of 15,298, 14,974 and 15,101 barrels.

4.1 Concerning the two forecasts:

- a. State which document, the Fuel Budget Report or Attachment 3 FCA, constitutes the revised quarterly Fuel Budget submitted for the Energy Bureau's approval under Section 7.3(f) of the OMA for October through December 2026, and which one Genera considers to be the basis of the proposed FCA.

Response:

Genera's Fuel Budget Report filed September 16, 2026, is the quarterly Fuel Budget submitted under Section 7.3(f) of the OMA. Attachment 3 FCA is the generation,

and fuel-consumption forecast used by LUMA to calculate the proposed FCA.

- d. Does either forecast include the cost of ULSD that Genera expects to burn at San Juan Units 5 and 6, the San Juan TM2500 units, the Palo Seco TM2500 units and the Palo Seco MobilePac units during the periods in which, because of the Vessel Events or any subsequent vessel swap, natural gas is not made available at those Delivery Points? If yes, state the quantities and amounts by unit and month. If no, explain why not and provide a revised forecast that does.

Response:

Genera's Fuel Budget Report takes into consideration anticipated ULSD requirements based on projected operational needs, including scheduled outages, expected fuel consumption at the facility level, and inventory requirements. However, Genera does not forecast ULSD purchases based on the projected consumption of each individual generating unit. Rather, fuel purchases are determined on an aggregate basis, considering facility level consumption (not unit level consumption), available tank capacity and existing inventory levels.

Furthermore, Genera prepares its natural gas nominations under the assumption that suppliers will fulfill their scheduled delivery obligations and that generating units will operate under normal conditions, taking into consideration scheduled maintenance and planned outages. Accordingly, the Fuel Budget Report accounts for anticipated liquid fuel requirements but does not separately identify or allocate incremental ULSD consumption attributable to Vessel Events by individual generating unit or month.

- e. Did Genera reduce the projected natural gas quantities and costs for those Delivery Points to account for the natural gas that will not be consumed while gas is not made available? If yes, state the reduction for each month and Delivery Point. If no, explain why the forecast was not adjusted.

Response:

Genera did not reduce its projected natural gas nominations to account for the periods during which natural gas may not be available due to the referenced Vessel Events. Genera's natural gas projections are based on the nominations submitted pursuant to the applicable contractual requirements. Once the nomination for "Month M" becomes binding under the GSA, Genera cannot unilaterally reduce that nomination based on a subsequent change in expected gas availability without some kind of penalty.

The nominations Genera sent to NFEnergía on September 4, 2026 (Exhibit C to Genera's September 15, 2026 monthly report) schedule, for October 2026, 280,271 MMBtu for Palo Seco, 805,039 MMBtu for the San Juan TM2500 units and 1,921,920 MMBtu for San Juan Units 5 and 6 (3.007 TBtu in total); for November 2026, 710,330, 1,947,700 and 2,166,528 MMBtu (4.825 TBtu); and for December 2026, 734,000, 2,012,600 and 1,921,920 MMBtu (4.669 TBtu). The daily quantity for San Juan Units 5 and 6 is reduced from 69,888 to 34,944 MMBtu for October 16 through 22, 2026. The Naturgy programmes for Costa Sur and EcoEléctrica show zero deliveries for October 23 through 25, 2026 and a reduced Costa Sur quantity from October 26, 2026.

4.2. Concerning the natural gas nominations for October through December 2026:

- a. Confirm that the October 2026 Scheduled Monthly Quantity is binding under Section 4.2.1(i). State whether it has been revised after September 16, 2026 and, if so, provide the original and revised quantities by Delivery Point and the related correspondence with NFEnergía. If it has not been revised, explain why, and state whether Genera or PREPA intend to invoke Section 4.3.5 or any other provision to adjust it.

Response:

Pursuant to Section 4.2.1(a) of the Gas Sales Agreement ("GSA"), Buyer must, 30 days prior to the start of any subsequent month, defined as the Nomination Deadline, provide to Seller a schedule of its gas requirements, defined as the NDS, for the three subsequent months in chronological order (M, M+1 and M+2). This means that Buyer must submit to Seller, a schedule with the gas quantities (NDS) 30 days in advance of the day the gas must be delivered (Nomination Deadline) for the three following months (M, M+1, M+2) on which the Buyer made the NDS.

As an example, and in practical terms, if Buyer intends to nominate gas quantities for the month of October (month "M"), Buyer must submit that NDS no later than the first date of September (30 days prior to the start of October), including the

projected nomination for the months of November and December (months M+1 and M+2, respectively).

Section 4.2.1(a)(i) further states that any nomination made for month M will be binding. This means that once Buyer submits the NDS (30 days in advance of the month it intends to consume the gas volumes), that first month (Month M), becomes binding. In other words, the volumes nominated must be consumed or paid in total, whether they were consumed or not. Following the same example above, the nomination made by Buyer in September for the month of October, must be consumed or paid in total if not consumed.

Nominations are based on at least a 30-day projection of the expected consumption for the following month, which becomes a binding quantity. Genera establishes its natural gas nominations based on anticipated fuel requirements and applicable contractual obligations, assuming normal operating conditions and that the Seller will fulfill its scheduled delivery commitments under the GSA. Accordingly, Vessel Events are not considered a basis for reducing nominated quantities, as Genera prepares its nominations under the premise that the Seller will comply with its contractual delivery obligations.

Revising a binding nomination any time after the thirty-day period is moot, unless additional quantities are expected to be required. Section 4.3.5 of the GSA is activated if Buyer needs additional quantities not considered on the NDS for Month M. Those additional quantities are subject to availability and negotiation with the Seller.

Furthermore, the GSA contains Take-or-Pay ("ToP") provisions that establishes contractual payment obligations associated with the nominated quantities. Consequently, reducing nominated quantities does not necessarily eliminate the corresponding contractual financial obligations, which remain subject to the applicable terms of the GSA.

It is important to clarify that the GSA was negotiated by the P3A/3PPO, without Genera's participation in the negotiation or establishment of its contractual terms and conditions.

Based on the foregoing, the nominations made in September were already binding for October. If additional quantities were required, Genera would revise pursuant to Section 4.3.5.

For additional information regarding the methodology and procedures used to establish natural gas nominations, please refer to Genera's Natural Gas Nomination SOP previously submitted in this docket.

- b. Explain the reduction of the San Juan Units 5 and 6 daily quantity for October 16 through 22, 2026 and the increase of the Palo Seco quantity from 280,271 MMBtu in October to 710,330 MMBtu in November, identifying the unit outages, maintenance or additions assumed.

Response:

San Juan Unit 6 was scheduled to undergo a steam-turbine repair during the referenced period. Accordingly, the October schedule reduces the daily natural gas nomination for San Juan Units 5 and 6 by 34,944 MMBtu for seven days, from October 16 through October 22, 2026. This results in a reduction of 244,608 MMBtu from the otherwise projected monthly quantity of 2,166,528 MMBtu, yielding an October nomination of 1,921,920 MMBtu.

Regarding Palo Seco, the increase from 280,271 MMBtu in October to 710,330 MMBtu in November does not reflect a specific unit addition, outage, or maintenance event. Rather, the November quantity represents the maximum quantity contemplated for the Palo Seco units for planning purposes. Unlike the October nomination, the November quantity was not yet binding when the September 4, 2026, nomination schedule was submitted. Accordingly, the November quantity remained subject to revision when November became “Month M” and the applicable nomination became due under the GSA.

- c. Explain the zero deliveries scheduled with Naturgy for October 23 through 25, 2026 and the reduced Costa Sur quantity from October 26, 2026, and state whether these were reflected in the Attachment 3 FCA forecast for Costa Sur and EcoEléctrica.

Response:

The zero deliveries scheduled with Naturgy for October 23 through 25, 2026 reflected the anticipated EcoEléctrica total plant shutdown during that period. The reduced Costa Sur quantity beginning October 26, 2026 reflected the planned environmental outage of Costa Sur Unit 6.

These operational conditions were reflected in the Natural Gas Nominations submitted by Genera.

- d. Reconcile the nominated quantities to the quantities in Attachment 3 FCA for October 2026: 1,170,131 MMBtu for "TM Generators" and 281,865 MMBtu for Palo Seco Mobile Packs, compared with 1,085,310 MMBtu nominated for the San Juan and Palo Seco TM2500 units; and 1,664,532 MMBtu for San Juan Units 5 and 6, compared with 1,921,920 MMBtu nominated. Explain each difference.

Response:

The Natural Gas Nominations and Attachment 3 FCA are prepared for different purposes and do not reflect the same information, therefore, they cannot be reconciled by Genera.

- e. State whether Genera intends to revise the November 2026 nomination before the Nomination Deadline of Section 4.2.1 in light of the Vessel Events, and by what quantity.

Response:

The November 2026 quantities included in Genera's September 4, 2026 schedule were non-binding projections provided for planning purposes, as November corresponded to Month M+1 under Section 4.2.1 of the Gas Supply Agreement ("GSA"). Genera subsequently revised and submitted its November 2026 nomination on October 2, 2026, in accordance with the applicable contractual requirements and Genera's Natural Gas Nomination SOP.

The September 4 projections totaled 4,824,558 MMBtu, whereas the October 2 nomination totaled 3,017,100 MMBtu, representing a reduction of 1,807,458 MMBtu (37.46%).

A.2 – Take-or-Pay Payments Under the GSA and the SJ 5&6 Agreement

The Fuel Purchases Reports for June, July and August 2026 invoice natural gas for San Juan Units 5 and 6 on the "Nominated Qty. to NFE" of 2,138,000.00, 1,932,303.07 and 1,893,987.20 MMBtu, respectively, whereas Exhibit 3 reports consumption of 945,634, 1,716,315 and 1,835,990 MMBtu. The June 2026 report shows an "Excess Nomination" of 1,192,366 MMBtu with an amount of \$11,918,890.54; the July 2026 report shows a "Credit Mitigation" of \$1,629,922.33 and a "Carryover Credit" of 152,431.48 MMBtu (\$1,523,705.07); the August 2026 report shows no credit. For the San Juan TM2500 units and the Palo Seco TM2500 and MobilePac units, the reports invoice a "Monthly Qty. Consumed" of 1,180,000 MMBtu (June), 1,229,716 MMBtu (July) and 1,267,918 MMBtu (August), whereas Exhibit 3 reports consumption under the GSA of 982,318, 821,050 and 876,441 MMBtu, and Genera's July 2026 Fuel Consumption Report shows natural gas consumption at the San Juan TM2500 units of 100,333.21 barrels (approximately 581,933 MMBtu) against 990,598.87 MMBtu invoiced.

4.3. Concerning the natural gas quantities invoiced and consumed:

d. For the June 2026 "Excess Nomination" of 1,192,366 MMBtu (\$11,918,890.54) under the SJ 5&6 Agreement: state whether it was recovered from customers through the FCA, and whether, and on what date, Genera referred the quantity to PREPA and 3PPO for a mitigation sale, carryover credit, claim or dispute notice under the SJ 5&6 Agreement.

Response:

The invoices reflected in the Fuel Cost Adjustment ("FCA") include credits associated with fuel sale mitigation, as provided under the SJ 5&6 Agreement.

Pursuant to OCI framework established under the OMA, any claims, dispute notices, or legal proceedings arising under the SJ 5&6 Agreement, including the responsibility for pursuing and enforcing such actions rests with the P3A or its delegate, the 3PPO. The P3A/3PPO are responsible for referring any unresolved contractual disputes to the appropriate judicial forum, as applicable.

e. Explain why no mitigation credit or carryover credit appears in the August 2026 report, and state whether Genera expects any such credit for August or September 2026, in what amount, and when it will be reflected in the fuel costs submitted to LUMA.

Response:

Genera expects to receive a mitigation credit of approximately \$330,980.12 which was requested to Seller on September 25, 2026, however, no such credit has been received or reflected in the invoice. As required under the OCI framework established in the OMA and pursuant to Section 22.13 of the GSA, this matter was escalated to the 3PPO for proper action. Genera cannot specify when such credit will be reflected in the fuel costs submitted to LUMA.

- f. Confirm that, consistent with Section 4.5.2, the Buyer does not pay twice for the same quantity under Sections 4.3.2 and 4.5.2, and describe the control Genera and PREPA apply to prevent such double payment.

Response:

Section 4.5.2 prohibits charging Buyer twice for the same quantity of gas made available to it and not taken under the provisions of Section 4.3.2 and Section 4.5.2. Genera pays for the binding monthly nomination made even if quantities are not consumed albeit any applicable seller credit. At the end of contract year, these quantities will be subtracted from the Annual ToP Quantity.

4.4. State whether the forecast for October through December 2026 (in the Fuel Budget Report and in Attachment 3 FCA) includes any expected payment for natural gas that the Buyer does not expect to take – that is, projected ToP Payments under Section 4.5.2 for any month, or any accrual toward an Annual ToP Payment under Section 4.3.4. If yes, identify the month, Delivery Point and projected dollar amount. If no, state whether Genera and PREPA expect such payment to rise in those months and explain why it was not forecast. Answer separately for any take-or-pay, minimum-bill or similar provision of the Naturgy Contract, identifying the applicable section.

Response:

The Fuel Budget Report and Attachment 3 FCA do not separately identify projected monthly or annual ToP payments. They only contain the expected quantity to be consumed for such months. Genera is not accruing a monthly amount for a projected ToP Payment under Section 4.3.4. Genera's projections are made assuming that nominated quantities will be consumed for the month they were nominated.

A.3 – Deliver-or-Pay Payments and Seller Shortfall Credits

The Fuel Purchases Reports for June and July 2026 include Naturgy "Seller Shortfall Credits" of \$5,038,359.56 (Q1 2026) and \$3,999,202.46 (Q2 2026), which LUMA applied in the June-August 2026 FCA reconciliation. No deliver-or-pay credit from NFEnergía appears in any of the reports. Genera's Exhibit 6 (September 24, 2026) computes a replacement-fuel cost differential of \$15,403,901.26 for San Juan Units 5 and 6, \$2,245,987.20 for the San Juan and Palo Seco temporary units, and \$15,344,260.10 for Costa Sur for June through August 2026.

4.7. Concerning deliver-or-pay payments under Section 4.4 for June, July, August and September 2026:

a. For each month and Delivery Point, state whether a DoP Quantity arose under Section 4.4.1, its size in MMBtu, and whether NFEnergía gave the advance notice required by Section 4.4.1.

Response:

For the period of June through September 2026, Seller did not make available certain quantities nominated by Genera for such period. Invoices received include a credit for the amounts not delivered. However, there's not a separate amount for a DoP payment. In accordance with the OCI framework established under the OMA and pursuant to Section 22.13 of the GSA, Genera has escalated this matter to the 3PPO for appropriate enforcement and action, if necessary. Genera, however, keeps a record of backup fuel costs. According to Genera's record, for the month of June, July, and September, Seller sent three letters, respectively, claiming force majeure.

b. State whether any DoP Payment received or receivable has been reflected as a credit in the fuel costs submitted to LUMA or in the June-August 2026 FCA reconciliation. If not, state when and how it will be credited to customers.

Response:

No DoP Payment has been received or receivable has been reflected as a credit in the fuel costs submitted to LUMA. DoP matters under the GSA are still under review and consideration of the 3PPO for proper action and enforcement, if any, in accordance with the OCI framework established under the OMA and Section 22.13 of the GSA.

c. State whether Genera has communicated the amounts in Exhibit 6 to PREPA and 3PPO as the basis of a claim against NFEnergía or Naturgy for DoP Payments or shortfall damages, on what date, and whether Genera considers those amounts to be the amounts recoverable under each contract. If the amounts Genera has communicated differ from Exhibit 6, reconcile them.

Response:

For the Naturgy contract, Genera keeps track of the amounts possibly owed under the contract. For the months of July and August, Genera will reconcile the amounts at the end of Q3 according to the contract.

For the NFE contract, due to the OCI framework established in the OMA and recognized under the GSA, Genera has provided information to the 3PPO and has held conversations regarding this matter for proper action and enforcement pursuant to Section 22.13 of the GSA.

f. For the Naturgy Contract, identify the section under which the Seller Shortfall Credits are computed, provide the computation of the Q1 2026 and Q2 2026 credits, and state whether a credit for Q3 2026 (July through September) is expected, in what amount, and when it will be reflected in the fuel costs submitted to LUMA.

Response:

Please see Exhibit 1 and Exhibit 2. Once Genera completes the analysis of Q3, the information can be provided.

4.8. State whether the forecast for October through December 2026 (in the Fuel Budget Report and in Attachment 3 FCA) accounts for any expected DoP Payment from NFEnergía under Section 4.4.3 or Seller Shortfall Credit from Naturgy for gas that the seller may fail to make available in those months, including any continuation of the Vessel Events into October 2026. If yes, identify the month and projected amount. If no, explain why the forecast does not account for such credits and state whether any DoP Payment for September 2026 will be credited in the September 2026 reconciliation.

Response:

Genera cannot consider in its forecasts DoP Payments of Force Majeure claims that have not been accepted or rejected by the 3PPO pursuant to Section 22.13 of the GSA nor can Genera forecast the continuation of an event or additional unforeseen disruptions. Genera cannot foresee force majeure events, short fall events, facility shutdowns (other than does already planned) due to Seller's fault.

A.4 – The Vessel Events and Their Effect on the Factors

For purposes of this Part, the Energy Bureau distinguishes the FSU Departure from the Carrier Hold. Genera's monthly reports identify the storage vessels serving the San Juan terminal as the Energos Princess and the Energos María, which have alternated at the jetty (for example, on August 8 and August 30, 2026). Genera's response of September 24, 2026 identifies the Amur River as the only vessel scheduled by NFEnergía, with an expected arrival date of September 17, 2026. Answer each question separately for the FSU Departure and for the Carrier Hold.

4.9. Given the Vessel Events, does Genera stand by its response of September 22, 2026 to First RFI item 3 that it does not expect significant fuel delivery problems or delays during October through December 2026? If yes, explain why, identifying the date on which Genera expects natural gas to be made available again at each Delivery Point and the basis for that expectation. If no, provide an updated response, including the specific delivery issues expected for each month and the contingency plans described in the original response, updated to the present circumstances.

Response:

Genera stands by its response of September 22, 2026, to the First RFI item 3. Natural gas send-out was resumed on October 13, 2026.

4.10. At the time Genera filed its response to First RFI item 3 (September 22, 2026), the floating storage unit had been absent from the San Juan terminal since September 16, 2026 and the Amur River had been held outside San Juan Bay since September 17, 2026. State the date and time on which Genera first learned of each Vessel Event, from whom, and by what means; identify the Genera personnel who prepared and approved the response to item 3; explain how the statement that no significant problems were anticipated aligns with the supply disruption then under way; and explain why the response did not disclose it. Provide every notice, e-mail or communication received from NFEnergía between September 10 and September 24, 2026 concerning the vessels or the availability of gas.

Response:

Seller notified Genera that the FSU departure (Energos Princess) was scheduled for September 17, 2026. Notwithstanding, the vessel encountered certain challenges that prevented it from leaving the port. Seller notified Genera that the outbound vessel was not leaving the port, without giving the reasons or explanation of the situation. The Energos Princess was finally able to leave the port on September 19.

The Amur River was scheduled to enter the port on September 17, however, due to the delays in the departure of the Energos Princess, the inbound vessel schedule was delayed. On September 19, after the Energos Princess left, NFE sent a communication to Genera stating that the inbound vessel was rescheduled for September 20. After this communication the Seller notified Genera that there was uncertainty on the inbound vessel schedule.

Around September 20, 2026, Genera became aware of the situation with the Amur River through the press. On September 21, 2026, Genera received a force majeure claim detailing the events of September 17 and September 18 that prevented Energos Princess from leaving the port. That same day, Genera received another force majeure claim detailing the challenges that prevented Amur River from entering the port.

Please see Exhibit 3 for communications received from NFEnergía between September 10 and September 24, 2026, concerning the vessels or the availability of gas.

4.11. Concerning the contractual characterization of the Vessel Events:

a. State whether the FSU Departure was a scheduled vessel swap or planned maintenance for which NFEnergía gave notice under Section 2.4, or an unplanned event; identify the vessel that departed, the vessel expected to replace it, the notice received, and the date on which NFEnergía represented that the replacement would be in place.

Response:

Please see answer to RFI 4.10.

b. State the reason given by NFEnergía to Genera for the Carrier Hold, whether NFEnergía gave notice under Section 4.4.1 that it would not be able to make the Scheduled Monthly Quantity available. Provide each notice received by Genera.

Response:

Please see answer to RFI 4.10.

c. State how Genera is treating the September 2026 quantities not made available at each Delivery Point in its nominations, its Fuel Purchases Reports and the fuel costs it submits to LUMA, as a DoP Quantity under Section 4.4.1, a Buyer Excused Quantity, or as a ToP Quantity, and the basis for that treatment, and state how NFEnergía has treated them in its September 2026 invoice, providing the invoice when received.

Response:

Genera is keeping track of the backup fuel consumed by the units resulting from the September 16th event that affected the continuous supply of natural gas. Due to the OCI framework established under the OMA and pursuant to Section 22.13 of the GSA, Genera is unable to make a determination of accepting or rejecting the force majeure claim issued by NFE to properly determine if this will be treated as a DoP Payment or not. These responsibilities and obligations were exclusively retained by the P3A or its delegate, the 3PPO, under Section 22.13 of the GSA. Regarding the invoice, Seller only provided a credit for natural gas nominated but not delivered.

d. Explain how San Juan TM2500 units 2, 3, 4 and 7 have been "available in Natural Gas" while no storage vessel is at the jetty, identifying the source of that gas (ISO containers, trucks or otherwise), the daily quantities delivered, the ISO Container Delivery Fees under Section 5.1.2 incurred, and whether the same source can supply San Juan Units 5 and 6 and the Palo Seco units.

Response:

Genera's September 24 response described San Juan TM2500 units 2, 3, 4 and 7 as "available in Natural Gas." That description concerns unit availability; it does not, by itself, establish actual gas deliveries, actual gas consumption or dispatch of these units.

f. State the current status of each Vessel Event, the expected date of restoration of gas at each Delivery Point, and the measures Genera, PREPA and 3PPO have taken to expedite it.

Response:

As of the day of this response, natural gas send outs have resumed.

4.12. State the September 2026 Scheduled Monthly Quantity originally nominated for each Delivery Point, whether it was revised after the FSU Departure, and, if so, the original and revised quantities in MMBtu and the related correspondence. If it was not revised, explain why, taking into account Genera's statement of September 22, 2026 that nominations cannot be revised intra-month without a penalty, and state the quantity Genera expects NFEnergía to invoice for September 2026 and the basis for that expectation.

Response:

Genera did not revise the September 2026 nominations. Genera received the September 2026 invoices on October 7, 2026, reflecting a credit for natural gas amounts nominated but not delivered.

PERIODE	1.2.2017	2.2.2017	3.2.2017	4.2.2017	5.2.2017	6.2.2017	7.2.2017	8.2.2017	9.2.2017	10.2.2017	11.2.2017	12.2.2017	13.2.2017	14.2.2017	15.2.2017	16.2.2017	17.2.2017	18.2.2017	19.2.2017	20.2.2017	21.2.2017	22.2.2017	23.2.2017	24.2.2017	25.2.2017	26.2.2017	27.2.2017	28.2.2017	29.2.2017	30.2.2017	31.2.2017	TOTALE
31/01/2016	2.987.552	76.953	80.085	18.340	15.560	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844	13.844
31/02/2016	14.217.127	72.047	72.047	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212
31/03/2016	84.225	71.204	72.047	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212
31/04/2016	74.779	71.204	72.047	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212
31/05/2016	84.225	71.204	72.047	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212
31/06/2016	80.085	62.828	62.828	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916
31/07/2016	71.941	18.340	18.340	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212	150.212
31/08/2016	82.001	52.786	52.786	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916
31/09/2016	80.085	62.828	62.828	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916
31/10/2016	80.085	62.828	62.828	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916
31/11/2016	80.085	62.828	62.828	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916
31/12/2016	80.085	62.828	62.828	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916	148.916
31/01/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/02/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/03/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/04/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/05/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/06/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/07/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/08/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/09/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/10/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/11/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
31/12/2017	100.809	70.818	70.818	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519	172.519
TOTALE	1.294.611	2.175.827	5.656.438	4.533.000	4.751.276	2.188.956	6.904.312																									

	AVG*(1-1,815%	AVG*(1-1,815%	15%
	USD/bbl	USD/MMBtu	USD/MMBtu
Jan-26	67.84	10.57	1.59
Feb-26	78.56	12.24	1.84
Mar-26	110.18	17.17	2.58
Q1		13.33	2.00

219660

DELIVERIES CS	DELIVERIES	DELIVERIES	DELIVERIES	DELIVERIES	NOS CS	NOS CS	NOS
MONTHLY	CS	TOTAL	AVAILABILITY	MONTHLY	PREPA	PREPA	TOTAL
MONTHLY	MONTHLY	MONTHLY	MONTHLY	MONTHLY	MONTHLY	MONTHLY	MONTHLY
4/1/2026	123,461	73,728	187,189	204,000	157,080	72,072	229,152
4/2/2026	120,491	69,701	190,192	204,000	157,080	72,072	229,152
4/3/2026	122,864	67,666	190,530	204,000	157,080	72,072	229,152
4/4/2026	117,129	68,684	186,813	204,000	157,080	72,072	229,152
4/5/2026	119,463	69,516	188,979	204,000	157,080	72,072	229,152
4/6/2026	117,808	71,183	208,991	204,000	157,080	72,072	229,152
4/7/2026	119,040	70,125	209,165	204,000	157,080	72,072	229,152
4/8/2026	143,101	70,389	213,490	204,000	157,080	72,072	229,152
4/9/2026	138,835	69,433	208,268	204,000	157,080	72,072	229,152
4/10/2026	141,663	71,121	212,884	204,000	157,080	72,072	229,152
4/11/2026	74,518	76,190	150,708	204,000	157,080	72,072	229,152
4/12/2026	80,126	73,305	153,431	204,000	157,080	72,072	229,152
4/13/2026	87,614	68,781	156,395	165,000	157,080	72,072	229,152
4/14/2026	79,483	71,611	151,094	165,000	157,080	72,072	229,152
4/15/2026	98,563	70,821	209,384	165,000	157,080	72,072	229,152
4/16/2026	138,408	67,965	206,373	165,000	157,080	72,072	229,152
4/17/2026	113,082	61,913	174,995	165,000	157,080	72,072	229,152
4/18/2026	68,099	64,517	132,616	174,000	157,080	72,072	229,152
4/19/2026	70,881	66,508	137,389	174,000	157,080	72,072	229,152
4/20/2026	74,379	70,138	144,517	174,000	157,080	72,072	229,152
4/21/2026	84,395	68,629	153,024	174,000	157,080	72,072	229,152
4/22/2026	75,760	67,242	143,002	174,000	157,080	72,072	229,152
4/23/2026	75,779	70,506	146,285	174,000	157,080	72,072	229,152
4/24/2026	80,658	70,832	151,490	174,000	157,080	72,072	229,152
4/25/2026	79,604	68,186	147,790	174,000	157,080	72,072	229,152
4/26/2026	75,039	71,349	146,388	174,000	157,080	72,072	229,152
4/27/2026	86,369	71,433	157,802	174,000	157,080	72,072	229,152
4/28/2026	85,415	71,294	156,709	174,000	157,080	72,072	229,152
4/29/2026	83,985	74,148	158,133	174,000	157,080	72,072	229,152
4/30/2026	68,271	73,800	142,071	174,000	157,080	72,072	229,152

Comments

NASA CALCULATION OF CS SHORTFALL PRICE

	NOS	ADP	AVAILABILITY	DELIVERIES
	MONTHLY	MONTHLY	MONTHLY	MONTHLY
Apr-26	6,874,560		6,535,000	6,084,477
May-26	4,787,028		6,095,006	6,044,608
Jun-26	7,061,620		6,136,000	6,109,141
	18,672,608	21,822,000		17,123,659
Q2 SHORTFALL BASE		18,672,608		17,123,659
Q2 CS Shortfall Shortfall \$				1,969,949
Q2 Average Prompt CP				11.33
Q2 CS Shortfall Price 15%				2.96
Q2 CS Shortfall Payment				23,993,203.46

Correo electrónico del 09 de abril 2026 - NOS revisad

Correo electrónico del 17 de abril 2026 - NOS newly revisad

TOTAL ABILU	2,984,123	2,100,354	5,084,477	5,535,000	4,712,400	2,162,160	6,874,560
5/1/2026	90,563	71,596	162,159	159,500	81,396	72,072	153,468
5/2/2026	130,261	70,715	200,976	159,500	81,396	72,072	153,468
5/3/2026	117,213	67,710	204,923	159,500	81,396	72,072	153,468
5/4/2026	115,769	72,002	187,771	159,500	81,396	72,072	153,468
5/5/2026	117,098	67,490	204,588	159,500	81,396	72,072	153,468
5/6/2026	85,700	68,514	154,214	159,500	81,396	72,072	153,468
5/7/2026	83,129	70,184	154,313	159,500	81,396	72,072	153,468
5/8/2026	117,123	68,645	185,766	187,107	81,396	72,072	153,468
5/9/2026	130,709	73,180	203,889	187,107	81,396	72,072	153,468
5/10/2026	114,881	71,676	186,547	187,107	81,396	72,072	153,468
5/11/2026	122,541	68,099	190,640	187,107	81,396	72,072	153,468
5/12/2026	102,113	67,305	169,418	187,107	81,396	72,072	153,468
5/13/2026	111,630	72,440	184,070	187,107	81,396	72,072	153,468
5/14/2026	127,515	71,444	198,959	187,107	81,396	72,072	153,468
5/15/2026	114,828	72,122	186,950	187,107	81,396	72,072	153,468
5/16/2026	100,681	70,458	171,139	182,000	81,396	72,072	153,468
5/17/2026	108,565	69,172	177,737	182,000	81,396	72,072	153,468
5/18/2026	108,741	65,445	174,186	182,000	81,396	72,072	153,468
5/19/2026	107,560	65,614	173,174	182,000	81,396	72,072	153,468
5/20/2026	97,247	70,075	167,322	182,000	81,396	72,072	153,468
5/21/2026	97,637	69,072	166,709	182,000	81,396	72,072	153,468
5/22/2026	100,447	68,664	169,111	182,000	81,396	72,072	153,468
5/23/2026	99,774	68,654	168,428	182,000	81,396	72,072	153,468
5/24/2026	91,936	67,732	159,668	182,000	81,396	72,072	153,468
5/25/2026	78,620	73,888	152,508	182,000	81,396	72,072	153,468
5/26/2026	14,992	71,542	86,534	122,040	81,396	72,072	153,468
5/27/2026	37,130	71,818	108,948	122,040	81,396	72,072	153,468
5/28/2026	51,781	71,090	122,871	122,040	81,396	72,072	153,468
5/29/2026	80,405	68,519	148,964	122,040	81,396	72,072	153,468
5/30/2026	109,708	71,979	181,687	122,040	81,396	72,072	153,468
5/31/2026	127,846	73,113	200,959	182,000	81,396	72,072	153,468

Correo electrónico mayo 08 mayo 2026 - Incremento de consumos

Correo electrónico mayo 14 mayo 2026 - Disponibilidad revisada

Correo electrónico mayo 25 mayo 2026 - Disponibilidad revisada

TOTAL MAYO	3,133,731	2,170,925	5,304,658	5,005,556	2,523,276	2,234,232	4,757,508
6/1/2026	118,512	71,323	189,835	216,000	162,792	72,072	234,864
6/2/2026	153,076	69,054	222,130	216,000	162,792	72,072	234,864
6/3/2026	150,462	70,349	220,811	216,000	162,792	72,072	234,864
6/4/2026	144,832	68,859	213,691	216,000	162,792	72,072	234,864
6/5/2026	150,187	71,428	221,615	216,000	162,792	72,072	234,864
6/6/2026	147,863	69,814	217,677	216,000	162,792	72,072	234,864
6/7/2026	146,380	69,841	216,221	216,000	162,792	72,072	234,864
6/8/2026	158,774	72,415	231,189	216,000	162,792	72,072	234,864
6/9/2026	146,552	73,224	219,776	216,000	162,792	72,072	234,864
6/10/2026	126,948	70,868	197,816	216,000	162,792	72,072	234,864
6/11/2026	135,555	71,638	206,893	216,000	162,792	72,072	234,864
6/12/2026	144,630	71,428	216,058	216,000	162,792	72,072	234,864
6/13/2026	117,780	73,800	191,580	216,000	162,792	72,072	234,864
6/14/2026	89,743	70,363	160,106	216,000	162,792	72,072	234,864
6/15/2026	71,620	71,113	142,733	216,000	162,792	72,072	234,864
6/16/2026	78,185	66,138	144,323	216,000	162,792	72,072	234,864
6/17/2026	134,457	71,075	205,532	216,000	162,792	72,072	234,864
6/18/2026	152,089	71,018	223,107	216,000	162,792	72,072	234,864
6/19/2026	144,248	69,713	213,961	216,000	162,792	72,072	234,864
6/20/2026	147,424	69,550	216,974	216,000	162,792	72,072	234,864
6/21/2026	140,811	71,100	211,911	216,000	162,792	72,072	234,864
6/22/2026	157,569	71,283	228,852	216,000	162,792	72,072	234,864
6/23/2026	140,517	72,662	213,889	216,000	162,792	72,072	234,864
6/24/2026	155,741	71,506	227,247	216,000	162,792	72,072	234,864
6/25/2026	153,082	72,875	225,957	192,000	162,792	72,072	234,864
6/26/2026	149,035	71,854	220,889	192,000	162,792	72,072	234,864
6/27/2026	154,238	70,521	224,759	192,000	162,792	72,072	234,864
6/28/2026	140,354	69,712	210,066	192,000	162,792	72,072	234,864
6/29/2026	166,907	69,171	236,078	192,000	162,792	72,072	234,864
6/30/2026	106,409	68,986	175,395	192,000	162,792	72,072	234,864

Correo electrónico del 14 de mayo del 2026 - NOS availability

TOTAL JUNIO	4,125,800	2,123,341	6,249,141	6,336,000	4,883,760	2,162,160	7,045,920
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	AVG*(1-1,815%	AVG*(1-1,815%	15%
	USD/bbl	USD/MMBtu	USD/MMBtu
Apr-26	119.72	18.66	2.80
May-26	121.30	18.90	2.84
Jun-26	100.64	15.68	2.35
Q2		17.75	

Exhibit 3

Confidential

Communications, 278 pages.

[Documents presented under seal.]