

**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 to Submit Monthly Report in  
Compliance with the Resolution and Order  
dated June 29, 2022.

**MOTION TO SUBMIT MONTHLY REPORT IN COMPLIANCE WITH RESOLUTION  
AND ORDER DATED JUNE 29, 2022**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COMES NOW GENERA PR LLC** (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),<sup>1</sup> through its counsel of record, and respectfully states and requests the following:

**I. FUEL NOMINATIONS**

1. On June 29, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order titled *Determinación sobre los Factores de las Cláusulas de Ajuste Anual para el período de julio 2022 a junio 2023; Determinación sobre los Factores de las Cláusulas de Ajuste Trimestral para el período julio — septiembre 2022* (“June 29<sup>th</sup> Order”), whereby it ordered PREPA to, among other things, provide:

[E]n o antes del día 15 de cada mes, comenzando con el mes de julio de 2022, presentar ante el Negociado de Energía un informe detallado de los resultados de las acciones tomadas relacionadas a reclamaciones bajo el contrato entre la Autoridad y New Fortress<sup>2</sup> para el suministro de gas natural en las unidades San

<sup>1</sup> Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority (“P3A”), 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 PREB with respect to any matter related to the performance of any of the Operation & Maintenance (“O&M”) Services provided by Genera under the LGA OMA.

<sup>2</sup> The Fuel Sale and Purchase Agreement that Genera, as agent of PREPA, manages, has NFEnergía, LLC (“NFEnergía”) as the counterpart, not New Fortress Energy.

Juan 5 y 6. El informe debe incluir todas las instancias o incidentes en que la Autoridad ha tenido que utilizar diesel en lugar de gas natural desde el inicio del contrato con New Fortress, la causa o causas de cada incidente, las acciones tomadas por New Fortress y/o la Autoridad para corregir dichas causas y la documentación que evidencie las correspondientes reclamaciones realizadas por la Autoridad al amparo del contrato y cualquier otra reclamación relacionada. Además, el informe debe estar acompañado de copia de cualquier documentación (e.g., cartas, correos electrónicos, memoranda, etc.) que apoye los datos contenidos en el mismo incluyendo, pero sin limitarse a, todas las comunicaciones cursadas entre la Autoridad y New Fortress con relación a **nominaciones de gas natural desde el inicio del contrato.**

*See*, June 29<sup>th</sup> Order, at p. 26.

2. In the June 29<sup>th</sup> Order, the Energy Bureau further instructed PREPA to:

[E]n o antes del día 15 de cada mes, comenzando con el mes de julio de 2022, presentar ante el Negociado de Energía un informe detallado de los resultados de las acciones tomadas relacionadas a reclamaciones bajo el contrato entre la Autoridad y Naturgy para el suplido de gas natural en las unidades Costa Sur 5 y 6. El informe debe estar acompañado de copia de cualquier documentación (e.g., cartas, correos electrónicos, memoranda, etc.) que apoye los datos contenidos en el mismo. Como parte de su radicación, la Autoridad deberá presentar también un informe detallado respecto al suplido de gas natural en las unidades Costa Sur 5 y 6, incluyendo la razón de consumo entre gas natural y combustible residual, así como la fecha estimada para el restablecimiento del suplido normal de gas natural a dichas unidades.

*Id.*

3. Effective July 1, 2023, the Service Commencement Date, the responsibility for the O&M Services for the Legacy Generation Assets transitioned from PREPA to Genera in accordance with the provisions of the LGA OMA. *See*, Article 4, Section 4.7(b) of the LGA OMA. Regarding the management of fuel contracts, Section 5.7 of the LGA OMA specifically provides as follows:

**Management of Fuel and Fuel Contracts. From the Service Commencement Date and for the remainder of the Term thereafter, Operator shall source, procure and manage the nomination, transportation, delivery, supply, quality-testing, storage and handling of Fuel, manage and maintain fuel tanks, perform any required environmental reporting, and maintain and administer the Fuel Contracts, in accordance with the Contract Standards and the applicable Fuel Budget then in effect.** Any renewal of an existing Fuel Contract and any procurement of a new Fuel

Contract shall be subject to approval by Administrator and performed in accordance with Applicable Law and in a manner consistent with the Procurement Manual, provided that procurement requirements that would otherwise apply to Owner under Act No. 83 of May 2, 1941 (including any rules or regulations issued thereunder) or Act 38 (including those relating to approval process and judicial review) shall not be applicable.

*See*, Section 5.7 of the LGA OMA.

4. Therefore, in accordance with the obligations under the LGA OMA, Genera hereby submits (i) the natural gas nominations sent to Naturgy Aprovevisionamientos S.A. (“Naturgy”) for EcoEléctrica LP (“Ecoeléctrica”), as *Exhibit A*; (ii) the natural gas nominations sent to Naturgy Aprovevisionamientos S.A. for Costa Sur units 5 & 6, as *Exhibit B*; and (iii) the fuel nominations sent to NFEnergía for San Juan units 5 and 6, Palo Seco, and San Juan TM’s units attached as *Exhibit C*.

5. Genera further informs the Energy Bureau that, through communications dated September 29 and October 2, 2026, it advised Naturgy of revised natural gas nominations for October 2026 resulting from changes to LUMA’s scheduled outages at EcoEléctrica and Costa Sur Unit 6. Copies of these communications are submitted as *Exhibit D*.

## II. REQUEST FOR CONFIDENTIALITY OF EXHIBIT D

### A. IDENTIFICATION OF CONFIDENTIAL INFORMATION

| Document Name and File Date | Pages in which Confidential Information is Found, if applicable | Summary of Legal Basis for Confidential Designation, if applicable | Summary of why each claim or designation conforms to the applicable legal basis for confidentiality |
|-----------------------------|-----------------------------------------------------------------|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
|                             |                                                                 |                                                                    |                                                                                                     |

|                                                        |                |                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exhibit D – Communications between Genera and Naturgy. | Whole document | <p><i>Section 6.15 of Act No. 57-2014, 22 L.P.R.A. § 1054n;</i></p> <p><i>Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, as amended;</i></p> <p><i>Sections 1.1 and 13 of the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement ("LGA OMA");</i></p> <p><i>Industrial and Trade Secret Protection Act, Act 80-2011, and Rule 513 of Evidence</i></p> | Exhibit D contains confidential and protected commercial and operational information concerning Genera's administration of natural gas supply, including supplier-specific natural gas availability, the relationship between nominated and available quantities, fuel-supply limitations and logistical constraints, and the potential operational and economic consequences of insufficient natural gas supply. It also includes confidential information provided by third-parties. |
|--------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## **B. Grounds for Confidentiality**

Section 6.15 of Act No. 57-2014, 22 L.P.R.A. § 1054n, expressly authorizes a person required to submit information to the Energy Bureau to request confidential treatment when the information carries a confidentiality privilege. The Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, as amended, implements that statutory protection and requires the proponent to identify the information, the legal basis for protection, and the

reasons why the information conforms to that basis. Genera respectfully submits that Exhibit D satisfies those requirements for the reasons stated herein and in the foregoing identification table.

Exhibit D is not merely another copy of the monthly natural gas nominations routinely submitted to the Energy Bureau. Rather, it is an integrated, non-public communication thread between Genera and Naturgy concerning the administration of natural gas supply for EcoEléctrica and Costa Sur. The communications reveal supplier specific information concerning (i) Naturgy's available quantities in relation to Genera's nominated requirements; (ii) the magnitude and operational consequences of supply shortfalls; (iii) revisions to nominations resulting from changes to generating-unit outage schedules; (iv) limitations on consumption associated with Naturgy's supply and tank management considerations; and (v) Genera's resulting need to evaluate fuel switching and the economic consequences of using alternative fuel. These are commercially sensitive operational matters that go beyond the nominations themselves and disclose the parties' respective supply positions and constraints.

Confidential treatment is also supported by Sections 1.1 and 13 of the LGA OMA. As Genera has explained in prior confidentiality filings in this docket, the OMA treats non-public information supplied or created in connection with the Agreement, and not otherwise excluded from its definition of "Confidential Information," as proprietary information subject to the protections of Article 13. The communications in Exhibit D arise directly from Genera's performance of its fuel contract management responsibilities under Section 5.7 of the LGA OMA, which include sourcing and procuring fuel and managing its nomination, transportation, delivery, supply, storage, handling, and the administration of Fuel Contracts. Accordingly, Genera has a contractual responsibility to take reasonable measures to protect this non-public operational and commercial information from unauthorized disclosure.

The confidentiality interest here is particularly concrete because the Naturgy communication included in Exhibit D expressly states that it may contain privileged and confidential information, that the information is intended for the exclusive use of the recipient, and that unauthorized disclosure, use, or reproduction is strictly prohibited.

The protections recognized by the *Industrial and Trade Secret Protection Act of Puerto Rico*, Act No. 80-2011, 10 L.P.R.A. §§ 4131-4133, and Rule 513 of the Puerto Rico Rules of Evidence, provide additional support for confidential treatment. Act No. 80-2011 recognizes the protectable character of non-public commercial information—including compilations, methods, techniques, and processes—that derives value from not being generally known and for which reasonable measures are taken to preserve confidentiality. The communications contained in Exhibit D may reveal commercial information processes and methods of Genera, Naturgy and PREPA.

Finally, whole document confidentiality treatment of Exhibit D is appropriate. The confidential information is not confined to one isolated figure or sentence, and instead it is woven throughout the communication thread and derives much of its commercial significance from the relationship among the nominations, supplier availability, outage related revisions, operational limitations, and the parties' responses. Accordingly, Genera respectfully requests that Exhibit D be maintained confidential in its entirety. This Section II and the accompanying identification table constitute Genera's legal and factual showing in support of that request under the Energy Bureau's Confidentiality Policy.

**WHEREFORE**, Genera respectfully requests that the Energy Bureau take notice of the foregoing for all purposes; deem Genera in compliance with the June 29th Order; accept Exhibits A through D submitted herewith; maintain Exhibit D under confidential treatment pursuant to the

Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, as amended.

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: **Lcda. Margarita L Mercado Echegaray**, [margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com); **Lcda. Yahaira de la Rosa**, [yahaira.delarosa@us.dlapiper.com](mailto:yahaira.delarosa@us.dlapiper.com); **Lcda. Hannia Rivera**, [hrivera@jrsp.pr.gov](mailto:hrivera@jrsp.pr.gov). Notice was also sent to the following addresses: [legal@genera-pr.com](mailto:legal@genera-pr.com); [regulatory@genera-pr.com](mailto:regulatory@genera-pr.com).

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EXHIBIT A

Natural gas nominations sent to Naturgy Aprovevisionamientos S.A. for EcoEléctrica LP



AMENDED AND RESTATED  
NATURAL GAS SALE AND PURCHASE AGREEMENT  
BETWEEN GENERAPR, AS AGENT OF PREPA (BUYER)  
AND NATURGY APROVISIONAMIENTOS S.A. (SELLER)

**ECOELECTRICA NINETY DAY PROGRAMME**

| Month M<br>DAY               | Nov-26         |        |
|------------------------------|----------------|--------|
|                              | DAILY<br>MMscf | MMBtu  |
| Sunday, November 01, 2026    | 35.09          | 36,498 |
| Monday, November 02, 2026    | 35.09          | 36,498 |
| Tuesday, November 03, 2026   | 35.09          | 36,498 |
| Wednesday, November 04, 2026 | 35.09          | 36,498 |
| Thursday, November 05, 2026  | 35.09          | 36,498 |
| Friday, November 06, 2026    | 0.00           | 0      |
| Saturday, November 07, 2026  | 0.00           | 0      |
| Sunday, November 08, 2026    | 0.00           | 0      |
| Monday, November 09, 2026    | 35.09          | 36,498 |
| Tuesday, November 10, 2026   | 35.09          | 36,498 |
| Wednesday, November 11, 2026 | 35.09          | 36,498 |
| Thursday, November 12, 2026  | 35.09          | 36,498 |
| Friday, November 13, 2026    | 35.09          | 36,498 |
| Saturday, November 14, 2026  | 35.09          | 36,498 |
| Sunday, November 15, 2026    | 70.19          | 72,996 |
| Monday, November 16, 2026    | 70.19          | 72,996 |
| Tuesday, November 17, 2026   | 70.19          | 72,996 |
| Wednesday, November 18, 2026 | 70.19          | 72,996 |
| Thursday, November 19, 2026  | 70.19          | 72,996 |
| Friday, November 20, 2026    | 70.19          | 72,996 |
| Saturday, November 21, 2026  | 70.19          | 72,996 |
| Sunday, November 22, 2026    | 70.19          | 72,996 |
| Monday, November 23, 2026    | 70.19          | 72,996 |
| Tuesday, November 24, 2026   | 70.19          | 72,996 |
| Wednesday, November 25, 2026 | 70.19          | 72,996 |
| Thursday, November 26, 2026  | 70.19          | 72,996 |
| Friday, November 27, 2026    | 70.19          | 72,996 |
| Saturday, November 28, 2026  | 70.19          | 72,996 |
| Sunday, November 29, 2026    | 70.19          | 72,996 |
| Monday, November 30, 2026    | 70.19          | 72,996 |

|       |       |      |
|-------|-------|------|
| 1,509 | 1,569 | TBtu |
|-------|-------|------|

Date sent

Monday, October 5, 2026

**Month M + 1**

**Dec-26**

2.234

TBtu

**Month M + 2**

**Jan-27**

2.234

TBtu

## Exhibit B

Natural gas nominations sent to Naturgy Aprovevisionamientos S.A. for Costa Sur



AMENDED AND RESTATED  
NATURAL GAS SALE AND PURCHASE AGREEMENT  
BETWEEN GENERA PR, AS AGENT OF PREPA (BUYER)  
AND NATURGY APROVISIONAMIENTOS S.A. (SELLER)

**COSTA SUR NINETY DAY PROGRAMME**

| Month M<br>DAY               | Nov-26         |         |
|------------------------------|----------------|---------|
|                              | DAILY<br>MMscf | MMBtu   |
| Sunday, November 01, 2026    | 153.78         | 159,936 |
| Monday, November 02, 2026    | 153.78         | 159,936 |
| Tuesday, November 03, 2026   | 153.78         | 159,936 |
| Wednesday, November 04, 2026 | 153.78         | 159,936 |
| Thursday, November 05, 2026  | 153.78         | 159,936 |
| Friday, November 06, 2026    | 0.00           | 0       |
| Saturday, November 07, 2026  | 0.00           | 0       |
| Sunday, November 08, 2026    | 0.00           | 0       |
| Monday, November 09, 2026    | 153.78         | 159,936 |
| Tuesday, November 10, 2026   | 153.78         | 159,936 |
| Wednesday, November 11, 2026 | 153.78         | 159,936 |
| Thursday, November 12, 2026  | 153.78         | 159,936 |
| Friday, November 13, 2026    | 153.78         | 159,936 |
| Saturday, November 14, 2026  | 153.78         | 159,936 |
| Sunday, November 15, 2026    | 153.78         | 159,936 |
| Monday, November 16, 2026    | 76.89          | 79,968  |
| Tuesday, November 17, 2026   | 76.89          | 79,968  |
| Wednesday, November 18, 2026 | 76.89          | 79,968  |
| Thursday, November 19, 2026  | 76.89          | 79,968  |
| Friday, November 20, 2026    | 76.89          | 79,968  |
| Saturday, November 21, 2026  | 76.89          | 79,968  |
| Sunday, November 22, 2026    | 76.89          | 79,968  |
| Monday, November 23, 2026    | 76.89          | 79,968  |
| Tuesday, November 24, 2026   | 76.89          | 79,968  |
| Wednesday, November 25, 2026 | 76.89          | 79,968  |
| Thursday, November 26, 2026  | 76.89          | 79,968  |
| Friday, November 27, 2026    | 76.89          | 79,968  |
| Saturday, November 28, 2026  | 76.89          | 79,968  |
| Sunday, November 29, 2026    | 76.89          | 79,968  |
| Monday, November 30, 2026    | 76.89          | 79,968  |

|       |       |      |
|-------|-------|------|
| 2,999 | 3.119 | TBtu |
|-------|-------|------|

Date sent

Monday, October 5, 2026

**Month M + 1**

**Dec-26**

2.313

TBtu

**Month M + 2**

**Jan-27**

2.930

TBtu

### Exhibit C

Fuel nominations sent to NFEnergía for San Juan Units 5 and 6, Palo Seco, and other generation units



GAS SALES AGREEMENT  
BETWEEN PREPA (BUYER) AND NFEnergia LLC (SELLER)  
SUPPLY FOR PALO SECO, SAN JUAN AND OTHER GENERATION UNITS

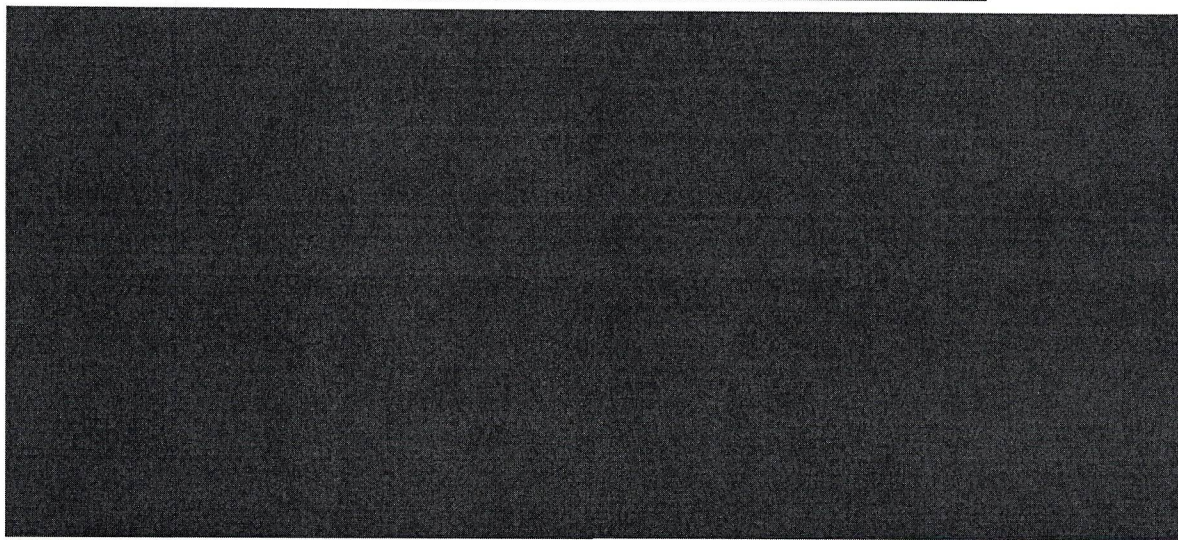
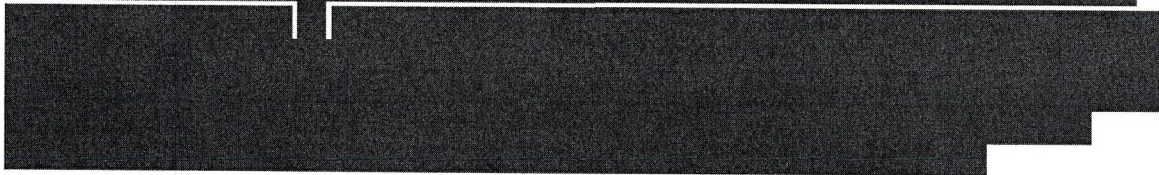
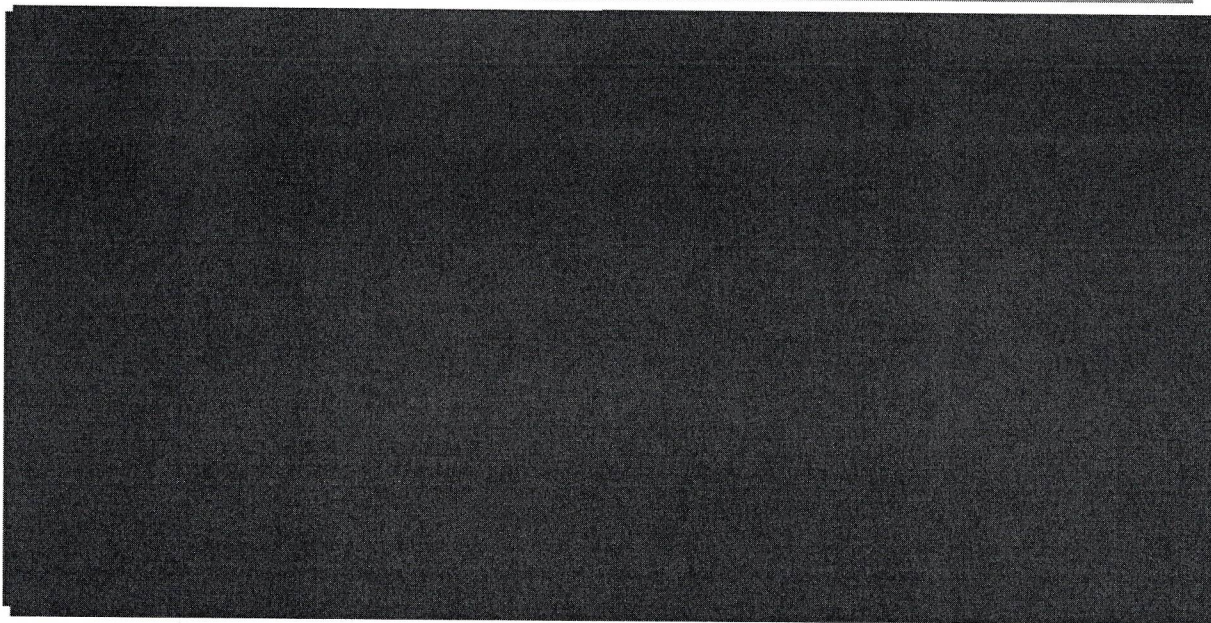
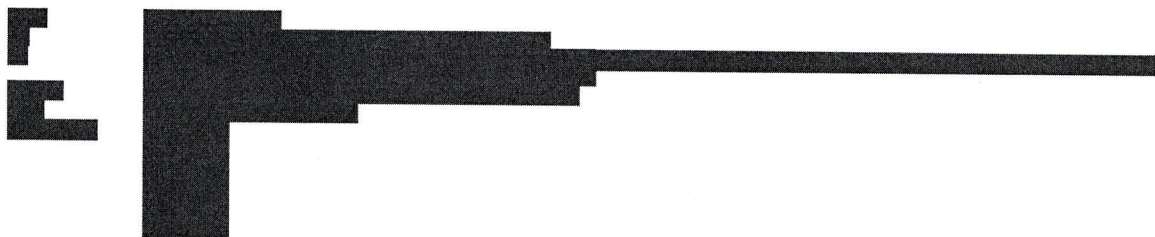
**NINETY DAY SCHEDULE**

| Month M                          | November-2026                     |                                       |                                        |                                           |
|----------------------------------|-----------------------------------|---------------------------------------|----------------------------------------|-------------------------------------------|
| Calendar Day                     | PALO SECO<br>DAILY<br>(MMBtu)     | SAN JUAN TM's<br>DAILY<br>(MMBtu)     | SAN JUAN 5&6<br>DAILY<br>(MMBtu)       |                                           |
| Sunday, November 01, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Monday, November 02, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Tuesday, November 03, 2026       | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Wednesday, November 04, 2026     | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Thursday, November 05, 2026      | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Friday, November 06, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Saturday, November 07, 2026      | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Sunday, November 08, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Monday, November 09, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Tuesday, November 10, 2026       | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Wednesday, November 11, 2026     | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Thursday, November 12, 2026      | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Friday, November 13, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Saturday, November 14, 2026      | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Sunday, November 15, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Monday, November 16, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Tuesday, November 17, 2026       | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Wednesday, November 18, 2026     | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Thursday, November 19, 2026      | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Friday, November 20, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Saturday, November 21, 2026      | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Sunday, November 22, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Monday, November 23, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Tuesday, November 24, 2026       | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Wednesday, November 25, 2026     | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Thursday, November 26, 2026      | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Friday, November 27, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Saturday, November 28, 2026      | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Sunday, November 29, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| Monday, November 30, 2026        | 4,713                             | 25,969                                | 69,888                                 |                                           |
| --                               | --                                | --                                    | --                                     |                                           |
| Quantity for Month M -- Nov/26   | PALO SECO<br><b>141,390</b> MMBtu | SAN JUAN TM's<br><b>779,070</b> MMBtu | SAN JUAN 5&6<br><b>2,096,640</b> MMBtu | PALO SECO & SAN JUAN<br><b>3.017</b> TBtu |
| Quantity for Month M+1 -- Dec/26 | <b>734,000</b> MMBtu              | <b>2,012,600</b> MMBtu                | <b>2,166,528</b> MMBtu                 | <b>4.913</b> TBtu                         |
| Quantity for Month M+2 -- Jan/27 | <b>734,000</b> MMBtu              | <b>2,012,600</b> MMBtu                | <b>2,096,640</b> MMBtu                 | <b>4.843</b> TBtu                         |

Date sent  
Friday, October 2, 2026

Exhibit D

Communications between Genera and Naturgy



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

