

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

NEPR

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CASE NO.: NEPR-MI-2019-0007

IN RE: THE PERFORMANCE OF THE
PUERTO RICO ELECTRIC POWER
AUTHORITY

SUBJECT: LUMA's Motion Submitting the
Quarterly Report on System Data for July
through September 2026 and Continued
Request for Partial Reconsideration of April
2, 2026, Order

**MOTION SUBMITTING THE QUARTERLY REPORT ON SYSTEM DATA
FOR JULY THROUGH SEPTEMBER 2026 AND CONTINUED REQUEST FOR
PARTIAL RECONSIDERATION**

TO THE PUERTO RICO ENERGY BUREAU:

COMES NOW, LUMA ENERGY SERVCO, LLC ("LUMA"), through the undersigned
legal counsel and respectfully states and requests the following:

I. Introduction

1. The obligation to submit quarterly reports containing specified system data of the Puerto Rico Electric Power Authority ("PREPA") is established by the *Resolution and Order* issued on May 14, 2019, by the Energy Bureau of the Puerto Rico Public Service Regulatory Board (the "Energy Bureau") in this proceeding. Said *Resolution and Order* requires the periodic submission of certain system data related to PREPA's electric system as part of the Energy Bureau's ongoing regulatory oversight.

2. In accordance with Section 5.6 of the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement ("T&D OMA"), LUMA, in its capacity as agent for PREPA, is responsible for submitting system data pertaining to the Puerto Rico transmission and distribution system (the "T&D System," as defined in the T&D OMA).

3. Consistent with the foregoing requirements, LUMA respectfully herein submits the Quarterly Report on System Data corresponding to the period of July through September 2026.

II. Relevant Procedural Background

4. On May 14, 2019, the Energy Bureau issued a *Resolution and Order* initiating this proceeding to establish quarterly reporting requirements for electric system performance metrics. Said Order directed the submission of performance data using a standardized reporting template.

5. On June 1, 2021, LUMA assumed responsibility for the operation and maintenance of the T&D System. Since that date, LUMA has filed system data reflecting quarterly performance reports in this docket using the reporting templates and methodologies ordered by the Energy Bureau through successive resolutions and orders. Per the Energy Bureau's standing orders, submission of the performance metrics is due no later than the 20th day of the month immediately following the quarter being reported.

6. Between 2021 and 2025, the Energy Bureau issued multiple resolutions and orders modifying the quarterly reporting template and associated reporting obligations, including orders issued on May 21, 2021; April 3, 2023; January 19, 2024; October 18, 2024; and January 17, 2025. These orders required LUMA to adjust reported metrics, align certain methodologies, provide historical and supporting data, and submit responses to requirements of information which LUMA answered through various compliance motions filed in this docket.

7. On December 19, 2025, the Energy Bureau issued a Resolution and Order ("December 19th Order") addressing various matters related to performance metrics reporting and directing the parties to comply with additional requirements as part of the metrics reporting. Specifically, the Energy Bureau ordered LUMA and Genera PR LLC to submit the underlying data and supporting working papers for the metrics listed in Attachment A for fiscal year 2025

(FY2025) and to continue reporting such data and workpapers at the frequency (annual or quarterly) specified therein.

8. On April 2, 2026, the Energy Bureau issued and notified a *Resolution and Order* titled Updated Data Template for Quarterly Reporting (the “April 2 Order”), in which it directed the revision of the quarterly reporting template and ordered LUMA to begin reporting additional system reliability metrics that had not previously been required of LUMA in this docket.

9. The April 2 Order directed LUMA to begin reporting the following new reliability metrics: Unit generation shortfall load shed events; Unit performance load shed events; Monthly SAIDI (Generation) – System; Monthly SAIFI (Generation) – System; Monthly SAIDI (T&D Unnormalized) – System; Monthly SAIFI (T&D Unnormalized) – System; Monthly SAIDI (T&D All-in) – System; and Monthly SAIFI (T&D All-in) – System. The April 2 Order further ordered LUMA to report values for the newly added reliability metrics for the months covered in the applicable quarterly submission and for prior months within Fiscal Year 2026, notwithstanding the fact that those metrics were not previously required, defined, or reported by LUMA in this proceeding.

10. In addition, the April 2 Order directed LUMA to populate the “Methodology” tab in the updated reporting template for each newly added metric, including descriptions of data sources, calculations, and key assumptions. Also, the Energy Bureau ordered LUMA to review the “Definitions” tab and confirm the definitions’ accuracy in both English and Spanish.

11. On April 22, 2026, LUMA submitted a *Motion Requesting Partial Reconsideration of the April 2 Order* (the “April 22 Reconsideration”). In that motion, LUMA requested reconsideration of the April 2 Order to the extent it required LUMA to report the following six new monthly reliability metrics: Monthly SAIDI (Generation) – System; Monthly SAIFI

(Generation) – System; Monthly SAIDI (T&D Unnormalized) – System; Monthly SAIFI (T&D Unnormalized) – System; Monthly SAIDI (T&D All-in) – System; and Monthly SAIFI (T&D All-in) – System (the “Reconsideration Metrics”). April 22 Reconsideration, ¶ 24 at 9. LUMA argued that these metrics were adopted outside the procedures established by the *Regulation for Performance Incentive Mechanisms*, Regulation No. 9137, which governs the creation and modification of performance metrics. *Id.* ¶¶ 25-31 at 9-11. LUMA further stated that several of the metrics presented technical and methodological challenges that could affect the reliability and accuracy of the reported data. *Id.* ¶ 31 at 11.

12. On April 22, 2026, and July 20, 2026, LUMA submitted its Quarterly Reports on System Data, for the periods of January through March 2026 and April to June 2026, respectively. *See Motion Submitting the Quarterly Report on System Data for January through March 2026* (the “April 22 Submission”) and *Motion Submitting the Quarterly Report on System Data for April through June 2026 and Renewed Request for Partial Reconsideration of April 2, 2026, Order* (“July 20 Submission”) (the April 22 Submission and the July 20 Submission, together the “Submissions”). In the April 22 Submission, LUMA proposed revisions to the reporting template’s Definitions tab. April 22 Submission, ¶ 12 at 4 and Exhibit 2. In both Submissions, LUMA advised that it was partially complying with the April 2 Order by reporting the Unit Generation Shortfall Load Shed Events and Unit Performance Load Shed Events metrics but did not report the Reconsideration Metrics for the reasons set forth in the April 22 Reconsideration, which it incorporated by reference. April 22 Submission, ¶¶ 11-13 at 3-4; July 20 Submission, ¶¶ 14-16 at 5. LUMA submitted the reported metrics using the revised template required by the Energy Bureau in the April 2 Order. *Id.*; July 20 Submission, ¶ 14 at 5. These metrics’ descriptions, data sources and calculations were also included in the “Methodology” tab. *Id.*

13. Furthermore, in both Submissions, LUMA noted that reporting the Unit Generation Shortfall Load Shed Events and Unit Performance Load Shed Events should not be construed as an acceptance that new performance metrics may be imposed absent compliance with the procedures established in Regulation No. 9137. *See* April 22 Submission, ¶ 14 at 4; July 20 Submission, ¶ 16 at 5. LUMA further submitted that those additional metrics identified in the April 2 Order, including the pair of Load Shed Events metrics reported in the Submissions, did not reflect LUMA's performance. *Id.*

III. Submittal of System Data from July through September 2026

14. Through this motion, LUMA submits system data for the period of July through September 2026. This submission consists of the Quarterly Report on System Data, an Excel spreadsheet with the title "*Resumen Métricas Master_October2026.xlsx*", herein submitted as Exhibit 1.

15. As part of this filing, LUMA is partially complying with the April 2 Order by reporting the following metrics: (1) *Unit Generation Shortfall Load Shed Events* and (2) *Unit Performance Load Shed Events*. *See* Exhibit 1, T&D tab, rows 248 and 249. These metrics have been prepared and reported using the revised template required by the Energy Bureau in the April 2 Order. These metrics' descriptions, data sources and calculations were also included in the "Methodology" tab. *See id.*, Methodology tab, rows 45 and 46.

16. LUMA respectfully submits that the Reconsideration Metrics and their respective definitions and methodologies required by the April 2 Order are not included with this filing for the reasons set forth in the April 22 Reconsideration, which are incorporated herein by reference.

17. LUMA further submits that the reporting of any metric that has not been approved through the procedures established in Regulation No. 9137 shall not be construed as acceptance

that new performance metrics, performance incentive mechanisms, or penalty mechanisms may be imposed absent compliance with the requirements of that regulation. LUMA further submits that, to the extent any reported metric measures matters that fall outside the scope of LUMA's Scope of Services (as defined in the T&D OMA), including generation unit performance, such metric does not reflect LUMA's performance and therefore cannot serve as the basis for the imposition of any performance incentive, penalty, or other performance-based consequence on LUMA.

IV. Restatement of Previously Reported Data

18. In this submission, LUMA is updating the Fiscal Year 2026 values for the reliability metrics SAIDI (System Average Interruption Duration Index), SAIFI (System Average Interruption Frequency Index), and CAIDI (Customer Average Interruption Duration Index), to reflect the outcome of its annual quality review accurately. These corrections are necessary to ensure that the reported metrics align with validated data and are consistent with LUMA's own acknowledgment. *See LUMA's Submission of Responses to Requirements of Information in Compliance with Order of October 16, 2023, and Request for Extension of Time to Respond to ROI 5(c)*, Exhibit 1, Response to ROI-LUMA-2019-0007-R2-16OCT23-013, filed on October 31, 2023. LUMA therefore submits these updated values for incorporation into the record so that the Fiscal Year 2026 SAIDI, SAIFI, and CAIDI metrics conform to validated data and LUMA's acknowledged reporting practices.

V. Request to Modify the Reporting Template to Include New Sub-Group for the Renewable Portfolio Standard ("RPS") Eligible Metrics

19. In September 2026, Clean Flexible Energy Jobos Solar, a new solar generation facility, was interconnected to the grid. This project will be co-located with a Battery Energy

Storage System (“BESS”) called Clean Flexible Energy Jobs BESS that is expected to be interconnected soon. LUMA requests the Energy Bureau to approve the revision of the existing data reporting template to include Clean Flexible Energy Jobs Solar and Clean Flexible Energy Jobs BESS as subgroups into the following metrics: Number of curtailed hours from RPS-eligible capacity, Average capacity factor of RPS-eligible capacity and Generation from RPS-eligible PPOA's (by unit). This is requested so that LUMA can timely include this information in the reports.

VI. Submittal of Annual Inspections Metrics Data Files for FY2026 and Request for Confidential Treatment

20. In compliance with the December 19th Order, LUMA is submitting the complete dataset and supporting workpapers covering the full FY2026 for Distribution line inspections (FYTD)-System, Transmission line inspections (FYTD)-System and T&D substation inspections (FYTD)-System metrics. *See Exhibit 2.*

21. LUMA respectfully submits that portions of *Exhibit 2* related to the Distribution line inspections (FYTD)-System, Transmission line inspections (FYTD)-System and T&D substation inspections (FYTD)-System metrics contain confidential information, including line identification markers, assets (i.e., Feeder) numbers and substation site names that should be protected as Critical Energy Infrastructure Information (“CEII”) that garners protection from public disclosure pursuant to federal statutes and regulations, *see, e.g.*, 6 U.S.C. §§ 671-674; 18 C.F.R. § 388.113 (2020), and the Energy Bureau’s Policy on Management of Confidential Information, CEPR-MI-2016-0009, issued on August 31, 2016, as amended on September 21, 2016 (“Policy on Management of Confidential Information”). Therefore, LUMA submits that this information must be protected from disclosure.

22. In compliance with the Policy on Management of Confidential Information, LUMA includes below, the corresponding Memorandum of Law stating the legal basis for which certain portions of *Exhibit 2* should remain under seal of confidentiality.

VII. Memorandum of Law in Support of Confidential Treatment of Parts of Exhibit 2

A. Applicable Laws and Regulation to Submit Information Confidentially Before this Energy Bureau.

23. The bedrock provision on management of confidential information that is filed before this Energy Bureau is Section 6.15 of Act 57-2014, known as the “Puerto Rico Energy Transformation and Relief Act.” It provides, in pertinent part, that: “[i]f any person who is required to submit information to the Energy [Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the [Energy Bureau] to treat such information as such” 22 LPRA § 1054n. If the Energy Bureau determines, after appropriate evaluation, that the information should be protected, “it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted.” *Id.* § 1054n(a).

24. Per Act 57-2014, access to the confidential information shall be provided “only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.” *Id.* § 1054n(b). Finally, Act 57-2014 provides that this Energy Bureau “shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the [Bureau] who need to know such information under nondisclosure agreements. However, the [Bureau] shall direct that a non-confidential copy be furnished for public review.” *Id.* § 1054n(c).

25. Relatedly, in connection with the duties of electric power service companies, Section 1.10 (i) of Act 17-2019 provides that electric power service companies shall provide the information requested by customers, except for confidential information in accordance with the Rules of Evidence of Puerto Rico.

26. The Energy Bureau's Policy on Management of Confidential Information details the procedures that a party should follow to request that a document or portion thereof be afforded confidential treatment. In essence, the referenced Policy requires identification of the confidential information and the . . . filing of a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 16, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation and a summary of the reasons why each claim or designation conforms to the applicable legal basis of confidentiality. *Id.* at ¶ 3. The party who seeks confidential treatment of information filed with the Bureau must also file both a "redacted" or "public version" and an "unredacted" or "confidential" version of the document that contains confidential information. *Id.* at ¶ 6.

27. The Energy Bureau's Policy on Management of Confidential Information states the following with regard to access to validated CEII:

Critical Energy Infrastructure Information ("CEII")

The information designated by the [Energy Bureau] as Validated Confidential Information on the grounds of being CEII may be accessed by the parties' authorized representatives only after they have executed and delivered the Nondisclosure Agreement.

Those authorized representatives who have signed the Non-Disclosure Agreement may only review the documents validated as CEII at the [Energy Bureau] or the Producing Party's offices. During the review, the

authorized representatives may not copy or disseminate the reviewed information and may bring no recording device to the viewing room.

Id. § D (on Access to Validated Confidential Information).

28. Relatedly, Bureau Regulation No. 8543, *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, includes a provision for filing confidential information in adjudicatory proceedings before this honorable Bureau. To wit, Section 1.15 provides that, “a person has the duty to disclose information to the [Bureau] considered to be privileged pursuant to the Rules of Evidence, said person shall identify the allegedly privileged information, request the [Bureau] the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The [Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed accordingly to . . . Article 6.15 of Act No. 57-2014, as amended.” *See also* Bureau Regulation No. 9137 on *Performance Incentive Mechanisms*, Section 1.13 (addressing disclosure before the Bureau of Confidential Information and directing compliance with Resolution CEPR-MI-2016-0009).

B. Request for Confidentiality

29. Certain work papers in Exhibit 2 contain portions of CEII that, under relevant federal law and regulations, are protected from public disclosure. LUMA stresses that the Inspection metrics supporting workpapers containing line identification markers, asset (i.e., feeder) numbers and the names of the T&D substations deserve confidential treatment to protect critical infrastructure from threats that could undermine the system and negatively affect electric power services to the detriment of the interests of the public, customers, and citizens of Puerto Rico.

30. Generally, CEII or critical infrastructure information is exempted from public disclosure because it involves assets and information the disclosure of which poses public security, economic, health and safety risks. Federal Regulations on CEII, particularly, 18 C.F.R. § 388.113, state that:

Critical energy infrastructure information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that:

- (i) Relates details about the production, generation, transportation, transmission, or distribution of energy;
- (ii) Could be useful to a person in planning an attack on critical infrastructure;
- (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and
- (iv) Does not simply give the general location of the critical infrastructure.

Id.

31. Additionally, “[c]ritical electric infrastructure means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.” *Id.* Finally, “[c]ritical infrastructure means existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters.” *Id.*

32. The Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 671-674 (2020), a part of the Homeland Security Act of 2002, provides protection from disclosure of critical infrastructure information (“CII”). CII is defined as “information not customarily in the public domain and related to the security of critical infrastructure or protected systems....” 6 U.S.C. § 671 (3).

33. Portions of *Exhibit 2* qualify as CEII because these spreadsheets contain a list of line identification markers, asset (*i.e.*, feeder) numbers and the names of the T&D substations (18 C.F.R. § 388.113(ii)) information that could potentially be helpful to a person planning an attack on the energy facilities listed therein. The information identified as confidential in this paragraph is not common knowledge and is not made publicly available. Therefore, it is respectfully submitted that, on balance, the public interest in protecting CEII weighs in favor of protecting the relevant portions of this response with CEII in *Exhibit 2* from disclosure given the nature and scope of the details included in those portions of the Exhibit.

34. Based on the above, LUMA respectfully submits that portions of Exhibit 2 should be designated as CEII given the importance of ensuring the safe and efficient operation of the T&D System assets. LUMA respectfully submits that these materials constitute CEII that should be maintained confidentially to safeguard their integrity and protect them from external threats.

C. Identification of Confidential Information

35. In compliance with the Energy Bureau's Policy on Management of Confidential Information (CEPR-MI-2016-0009) below, find a table summarizing the portions of *Exhibit 2* for which we present this request for confidential treatment.

Document	Name	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidentiality Protection, if applicable	Date Filed
Exhibit 2	FY2026_Transmission line inspections_Confidential.xlsx	Inspections and Assets Database Tabs, Column LineID	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	October 20, 2026

Document	Name	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidentiality Protection, if applicable	Date Filed
Exhibit 2	FY2026_Distribution line inspections_Confidential.xlsx	Inspections and Assets Database Tabs, Column Asset (Feeder)	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	October 20, 2026
Exhibit 2	FY2026_T&D substation inspections_Confidential.xlsx	Inspections and Assets Database Tabs, Column Site	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	October 20, 2026

36. LUMA submits as *Exhibit A*, herein, redacted versions of Excel spreadsheets identified above and found in *Exhibit 2*, in which the information identified above is redacted. LUMA respectfully requests the Energy Bureau to accept *Exhibit A* herein as the public version of Exhibit 2. *Exhibit A* contains the following titled spreadsheets, in their redacted format: FY2026_Transmission line inspections.xlsx, FY2026_Distribution line inspections.xlsx, and FY2026_T&D substation inspections.xlsx.

WHEREFORE, LUMA respectfully requests that this Honorable Bureau **take notice** of the aforementioned; **accept** the Quarterly Report on System Data for July through September 2026; **grant** LUMA's request to modify the reporting template to include a new sub-group for the RPS-eligible metrics; **grant** confidential treatment to certain portions of *Exhibit 2*; **accept** *Exhibit A* as the public version of *Exhibit 2*; and **issue** a ruling on LUMA's April 22 Reconsideration.

RESPECTFULLY SUBMITTED.

In Guaynabo, Puerto Rico, on the 20th day of October 2026.



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CERTIFICATE OF SERVICE

I hereby certify that I filed this motion with the Clerk of the Energy Bureau using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this motion to

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In Guaynabo, Puerto Rico, on the 20th day of October 2026.

/s/. Katuska Bolaños-Lugo
Katuska Bolaños-Lugo

Exhibit 1

System Data for July through September 2026

[Files to be submitted via email in Excel format]

Exhibit 2

Quarterly Data Values Workpapers

[Files to be submitted via email in Excel format]

Exhibit A

Quarterly Data Values Workpapers - Redacted

[Files to be submitted via email in Excel format]