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

IN RE: ACCELERATED EVALUATION OF RENEWABLE ENERGY AND ENERGY STORAGE PROJECT PROPOSALS TO SECURE FEDERAL INVESTMENT TAX CREDITS (ITCs)	**CASE NO.**: NEPR-MI-2025-0005 **SUBJECT:** Determination on November 4, 2026, Joint Motion concerning Proponent No. 7 PPOA and ESSA

RESOLUTION AND ORDER

On October 30, 2026, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("October 30 Resolution") approving the Power Purchase and Operating Agreement ("PPOA") and the Energy Storage Services Agreement ("ESSA") for the Proponent No. 7 Projects, subject to certain terms and conditions. The October 30 Resolution also required that any subsequent amendment or modification to either agreement, including its appendices, be submitted to the Energy Bureau for review and prior approval before execution or implementation.

On November 4, 2026, Proponent No. 7 and the Puerto Rico Electric Power Authority ("PREPA") jointly filed an *Urgent Joint Motion for Correction of Inadvertent Clerical Error in PPOA Appendices B and C, and Request for Clarification Regarding PPOA Supply Period* ("November 4 Motion"). The parties requested authorization to delete Item 1(k) from Appendix B (PREPA Signing Conditions) of the PPOA and incorporate the corresponding requirement as Item (j) of Appendix C, Part 1 (Resource Provider Conditions Precedent), consistent with the placement of this requirement in the ESSA. The requested correction would relocate the requirement to provide evidence of the Resource Provider's ability to contribute Equity at least equal to the sum of (i) thirty percent (30%) of the forecasted costs to develop the Facility and (ii) the forecasted cost to construct the PREPA Interconnection Facilities Works, making it a condition precedent to the Closing Date rather than a condition for signing the PPOA.

The parties also requested clarification that the reference in Section III(A)(ii) of the October 30 Resolution to a twenty (20)-year term for the Solar PV Project does not modify the twenty-five (25)-year Supply Period established in the approved PPOA. They further noted that the ESSA provides for a twenty (20)-year term.

Upon review of the November 4 Motion and its supporting exhibits, the Energy Bureau **AUTHORIZES** the requested modification to Appendices B and C of the PPOA. The Energy Bureau further **CLARIFIES** that the PPOA provides for a twenty-five (25)-year Supply Period commencing on the Commercial Operation Date, as set forth in Sections 1.1 and 2.2 of the approved PPOA, while the ESSA provides for a twenty (20)-year term. Accordingly, the reference in Section III(A)(ii) of the October 30 Resolution to a twenty (20)-year term for the Proponent No. 7 Solar PV Project is hereby **CORRECTED** to read twenty-five (25) years.

These clarifications do not alter the Energy Bureau's evaluation or approval of the PPOA and ESSA under the October 30 Resolution. Except as expressly modified or clarified herein, all other terms, conditions, requirements, and determinations established in the October 30 Resolution remain unaltered and in full force and effect.

The Energy Bureau **ORDERS** PREPA and Proponent No. 7 to submit, **within five (5) days** from notification of this Resolution and Order, complete revised versions of the applicable agreements incorporating the changes approved herein, in both PDF and native editable Microsoft Word formats.

The Energy Bureau **WARNS** PREPA that failure to comply with this Resolution and Order may result in the imposition of fines under Article 6.36 of Act 57-2014.

NEGOCIADO DE ENERGÍA DE PUERTO RICO
NEPR
JUNTA REGLAMENTADORA DE SERVICIO PÚBLICO

Be it notified and published.

Edison Avilés Deliz
Chairman

Ferdinand A. Ramos Soegaard
Associate Commissioner

Sylvia B. Ugarte Araujo
Associate Commissioner

Omar M. Rodríguez González
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on November 6, 2026. Associate Commissioner Antonio Torres Miranda did not intervene. I also certify that on November 6, 2026 a copy of this Resolution and Order was notified by electronic mail to the following: alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net; eirizarry@ccdlawpr.com. I also certify that today, November 6 2026, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today November 6, 2026.

Wanda I. Cordero Moralea
Interim Clerk