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

IN RE: REVIEW OF THE PUERTO RICO ELECTRIC POWER AUTHORITY´S 10-YEAR INFRASTRUCTURE PLAN – DECEMBER 2020	**CASE NO.:** NEPR-MI-2021-0002 **SUBJECT:** Memorandum of Law in Support of Request for Confidential Treatment of Exhibit A

MEMORANDUM OF LAW IN SUPPORT OF REQUEST FOR CONFIDENTIAL TREATMENT OF EXHIBIT A

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC ("Genera"), as agent of the Puerto Rico Electric Power Authority ("PREPA"),[1] through its counsel of record, and respectfully submits and prays as follows:

I. INTRODUCTION

1. On October 30, 2026, Genera filed a *Motion Requesting Authorization for the Rehabilitation of Cambalache Unit 1* (the "Motion"). Exhibit A to the Motion is a document titled "Proposal for Executing the GT11N1 Unit 1 Turnkey Mechanical Rebuild and Full Controls Upgrade," HTS LATAM Budgetary Proposal No. CAM 06172026, prepared by HTS LATAM LLC ("HTS LATAM") and dated June 17, 2026 (the "HTS Proposal"). HTS LATAM prepared the HTS Proposal for Genera, as operator of the Cambalache Power Plant, so that Genera could evaluate the rehabilitation of Cambalache Unit 1 and seek the authorization of the Puerto Rico Energy Bureau ("Energy Bureau") to proceed with it.

[1]Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* ("LGA OMA"), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority and Genera, 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 the Energy Bureau with respect to any matter related to the performance of any of the O&M Services (as defined in the LGA OMA) provided by Genera under the LGA OMA.

2. In the Motion, Genera submitted Exhibit A marked as confidential, requested that the Energy Bureau designate and keep it as confidential, and informed that it would submit a memorandum of law in support of such request within ten (10) days, pursuant to the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, as amended (the "Policy on Confidential Information"). Accordingly, Genera respectfully submits the instant Memorandum of Law.

3. At the outset, Genera emphasizes that its request is narrowly tailored. Genera does not seek confidential treatment of the Motion, which publicly describes the need for the rehabilitation, the general scope of the work, the estimated aggregate cost and its three principal components, the expected duration of the project, the comparison with the cost and lead time of new generation equipment, and the relationship between the rehabilitation, the funding made available by the United States Department of Energy, and the related floodwall hazard mitigation project under Section 406 of the Stafford Act. The request is limited exclusively to Exhibit A, a commercial proposal that belongs to HTS LATAM and contains detailed pricing, payment, staffing, and technical information that is not disclosed in the Motion. Moreover, concurrently with this Memorandum, Genera submits a public redacted version of Exhibit A, in which only the confidential information identified in Section II has been redacted.

II. IDENTIFICATION OF CONFIDENTIAL INFORMATION

Document Name and File Date	Pages in which Confidential Information is Found	Summary of Legal Basis for Confidential Designation	Summary of why each claim or designation conforms to the applicable legal basis for confidentiality
Exhibit A: HTS LATAM Budgetary Proposal No. CAM 06172026 for executing the	Page 5 (Section 4.1, except its heading) and pages 6	Trade secrets of a third party under Act 80-2011 and Rule 513 of the Rules of Evidence; Article 1.10(i)(iii), (vii), (viii), and (ix) of Act 17-2019; Article	Pages 10 through 12 contain HTS LATAM's pricing and cost structure, including a cost figure not disclosed in the Motion, its milestone payment

Document Name and File Date	Pages in which Confidential Information is Found	Summary of Legal Basis for Confidential Designation	Summary of why each claim or designation conforms to the applicable legal basis for confidentiality
GT11N1 Unit 1 turnkey mechanical rebuild and full controls upgrade at the Cambalache Power Plant, prepared by HTS LATAM LLC and dated June 17, 2026, filed on October 30, 2026	through 12 (all content except section headings and the footer) of Exhibit A Pages 1 through 4, the Safety section and the introduction to Section 4 on page 5, and all section headings are public.	4 of Act 122-2019; Critical Energy Infrastructure Information under Section D(2) of the Policy on Confidential Information and 18 C.F.R. § 388.113(c)(2); Critical Infrastructure Information under 6 U.S.C. § 650(4) and Act 40-2024; Confidential Information and Facility Information under Sections 1.1 and 13.2 of the LGA OMA; Section 6.15 of Act 57-2014.	schedule, invoicing and validity terms, the condition that parts and labor be contracted together, its staffing plan, exclusions, schedule assumptions, time and material terms, and warranty terms. These are the prices and terms of a contract that remains under negotiation: the proposal is a preliminary budgetary proposal conditioned on a new site assessment, and no purchase order has been issued. Their disclosure would harm HTS LATAM's competitive position and Genera's ability to negotiate final terms on behalf of PREPA. Pages 5 through 9 describe the current condition of the unit's hot gas path and compressor components, the unit specific repairs it requires, and the specific platforms, components, and instrumentation of the unit's turbine control, protection, gas monitoring, and flame detection systems, together with the trip check and overspeed testing scope. This is detailed design and vulnerability information about energy infrastructure at a generation facility that could be useful to a person seeking to disrupt it.

III. APPLICABLE LAW

The governing statute for the management of confidential information submitted to the Energy Bureau is Section 6.15 of Act No. 57-2014, also known as the "Puerto Rico Energy

Transformation and RELIEF Act." This section stipulates that "[i]f any person who is required to submit information to the Energy [Bureau] believes that the information to be submitted carries a confidentiality privilege, such person may request the [Bureau] to treat such information as confidential…" 22 LPRA § 1054n. If, after conducting a meticulous evaluation, the Energy Bureau determines that the information warrants protection, it is required to "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.* at Section 6.15(a).

Consequently, such information must be withheld from the public domain by the Energy Bureau and "must be duly safeguarded and provided exclusively to the personnel of the Energy [Bureau] who need to know such information under nondisclosure agreements." *Id.* at Section 6.15(c). 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.* Section 6.15(b). Therefore, "[t]he Energy [Bureau] must swiftly act on any privilege and confidentiality claim made by a person under its jurisdiction through a resolution for such purposes before any potentially confidential information is disclosed." *Id.* at Section 6.15(d).

The Policy on Confidential Information, issued pursuant to the foregoing statutory framework, details the procedures a party should follow to request confidential treatment for a document or a portion thereof. Said policy requires identifying confidential information and filing a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* Section A of the Policy on Confidential Information. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation, and an explanation of why each claim or designation conforms to the

applicable legal basis for confidentiality. *Id.* With respect to access to validated Trade Secret Information, the Policy further provides that any document designated by the Energy Bureau as Validated Confidential Information for being a trade secret under Act 80-2011 may only be accessed by the Producing Party and the Bureau, unless otherwise set forth by the Bureau or any competent court. *Id.* Section D(1). In addition, the producing party must file both a redacted or public version and an unredacted or confidential version of any document that contains confidential information. *Id.* Section A(6). Federal regulations likewise require a party claiming CEII treatment to submit a public version in which the CEII is redacted, to the extent practicable. 18 C.F.R. § 388.113(d)(1)(ii).

Relatedly, Energy Bureau Regulation No. 8543, *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, includes a provision for filing confidential information in proceedings before this Honorable Bureau. To wit, Section 1.15 provides that should "a person ha[ve] 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 [Energy 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* Energy Bureau Regulation No. 9137 on Performance Incentive Mechanisms, Section 1.13 (addressing disclosure before the Energy Bureau of Confidential Information and directing compliance with Resolution CEPR-MI-2016-0009).

In connection with the duties of electric power service companies, Article 1.10(i) of Act No. 17 of April 11, 2019, as amended, known as the Puerto Rico Energy Public Policy Act ("Act

17-2019"), provides that electric power service companies shall provide documents and information requested by customers, except for, among others: (i) information privileged under the Rules of Evidence of Puerto Rico; (iii) ideas with regard to the negotiation of potential contracts of PREPA; (vii) trade secrets of third parties; (viii) matters that must be kept confidential under a confidentiality agreement, provided the agreement is not contrary to the public interest; and (ix) public security matters relating to threats against the company, its property, or its employees. 22 LPRA § 1141i.

The contractual framework governing Genera's operations also independently supports the confidential treatment requested herein. Section 1.1 of the LGA OMA defines "Confidential Information" as follows:

> [D]ata or information in any form disclosed by one Party to the other Party by any means, if and for so long as the data and information are protectable as trade secrets by the disclosing Party or are otherwise confidential. As a non-exhaustive list of examples, "Confidential Information" includes non-public information regarding a Party's Intellectual Property, financial condition and financial projections, business and marketing plans, product plans, product and device prototypes, the results of product testing, research data, market intelligence, technical designs and specifications, secret methods, manufacturing processes, source code of proprietary software, the content of unpublished patent applications, customer lists, vendor lists, internal cost data, the terms of contracts with employees and third parties, and information tending to embarrass the disclosing Party or tending to tarnish its reputation or brand. For the avoidance of doubt, information in this list of examples is only considered "Confidential Information" for so long as it has not been made known to the general public by the disclosing Party or through the rightful actions of a third party.

Id. Sec. 1.1. Section 1.1 further defines "Facility Information" to include all certificates, data, documents, plans, projections, records, reports, schedules, studies, and surveys created, collected, prepared, or used by Genera or its Representatives in connection with the Legacy Generation

Assets or the O&M Services. *Id.* Under Section 13.2(a)(i) of the LGA OMA, all Facility Information furnished or made available in connection with the agreement is deemed the Owner's Confidential Information, and Section 13.2(a)(ii) requires the receiving party to keep such information strictly confidential, to take reasonable precautions to protect it against disclosure, and to use it solely for the purposes of the agreement. *Id.* Sec. 13.2(a). Although Section 13.2(b) permits disclosure to a governmental body where required by law, such disclosure remains subject to the confidentiality framework of Section 13.2. *Id.* Sec. 13.2(b).

The applicable legal framework is further reinforced by the Industrial and Trade Secret Protection Act of Puerto Rico, Act 80-2011, 10 LPRA §§ 4131-4144 ("Act No. 80-2011"). Under Act No. 80-2011, industrial or trade secrets are deemed to be any information:

> (a) That has a present or a potential independent financial value or that provides a business advantage, insofar as such information is not common knowledge or readily accessible through proper means by persons who could make a monetary profit from the use or disclosure of such information, and; (b) for which reasonable security measures have been taken, as circumstances dictate, to maintain its confidentiality.

Id. § 4132, Section 3 of Act 80-2011.[2] Trade secrets include, but are not limited to, processes, methods and mechanisms, manufacturing processes, formulas, projects, or patterns to develop machinery and lists of specialized clients that may afford an advantage to a competitor. *See* Statement of Motives, Act No. 80-2011. *See also* Article 4 of Puerto Rico's Open Data Law, Act 122-2019 (exempting from public disclosure, among others, commercial or financial information

[2]Rule 513 of the Rules of Evidence of Puerto Rico provides that the owner of a trade secret may invoke the privilege to refuse and to prevent another person from revealing trade secrets, provided that these actions do not tend to conceal fraudulent activities or lead to an injustice. 32 LPRA Ap. VI, R. 513. If a court of law mandates the disclosure of a trade secret, precautionary measures should be adopted to protect the interests of the trade secret owner. *Id.*

whose disclosure will cause competitive harm, and trade secrets protected by a contract, statute, or judicial decision), Articles 4(ix), (x), and (xi), 3 LPRA § 9894.

The Puerto Rico Supreme Court has explained that the trade secrets privilege protects free enterprise and extends to commercial information that is confidential in nature. *Ponce Adv. Med. v. Santiago González*, 197 DPR 891, 901-02 (2017); *see also Next Step Medical Co. v. MCS Advantage Inc.*, KLCE201601116, 2016 WL 6520173 (holding that in Puerto Rico, what constitutes a trade secret is evaluated applying a broad definition). A trade secret includes any and all information from which a real or potential value or economic advantage may be derived; that is not common knowledge or accessible through other means; and as to which reasonable security measures have been adopted to keep the information confidential. *Ponce Adv. Med.*, 197 DPR at 906.

The Policy on Confidential Information further recognizes Critical Energy Infrastructure Information ("CEII") as a category of information warranting confidential treatment and provides that information validated as CEII may only be accessed by the parties' authorized representatives after executing a Non-Disclosure Agreement, and only at the offices of the Energy Bureau or the producing party, without copying or recording devices. *See* Section D(2) of the Policy on Confidential Information. Under federal regulations, CEII is defined as specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that relates details about the production, generation, transportation, transmission, or distribution of energy; could be useful to a person in planning an attack on critical infrastructure; is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. § 552; and does not simply reveal the general location of the critical infrastructure. 18 C.F.R. § 388.113(c)(2). The same regulation, in turn, defines critical infrastructure as 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.* § 388.113(c)(4).

Federal law reflects the same policy with respect to critical infrastructure information more broadly. The Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 671 through 674, defines critical infrastructure information as information not customarily in the public domain and related to the security of critical infrastructure or protected systems, including information regarding the ability of critical infrastructure to resist interference or incapacitation and any planned operational solution regarding its continuity. 6 U.S.C. § 650(4). Although the protections of that statute attach to information voluntarily submitted to covered federal agencies, it evidences a clear federal policy that information of this nature should not be made available under state or local disclosure laws. *See* 6 U.S.C. § 673(a)(1)(E).

At the local level, Act No. 40-2024, the Cybersecurity Act of the Commonwealth of Puerto Rico, as amended, defines critical infrastructure as those services, systems, resources, and essential assets, whether physical or virtual, the incapacity or destruction of which would have a debilitating impact on Puerto Rico's cybersecurity, health, economy, or any combination thereof. 3 LPRA § 10124(p). Its provisions apply not only to government entities, but also to natural or juridical persons doing business or having contracts with the government, including private persons performing public services and duties, with respect to those services and duties. 3 LPRA § 10122.

IV. REQUEST FOR CONFIDENTIALITY AND SUPPORTING ARGUMENTS

The confidential treatment requested for the redacted portions of Exhibit A is warranted under the applicable legal framework as: (a) they contain the prices and commercial terms of a contract that remains under negotiation, which constitute trade secrets of a third party and

commercially sensitive information; (b) they constitute Confidential Information under the LGA OMA; and (c) they contain CEII and critical infrastructure information. Genera has produced Exhibit A to the Energy Bureau in full and, as explained in Section D below, has limited its request to the portions of Exhibit A that warrant protection.

A. The Pricing and Commercial Terms of Exhibit A Constitute Trade Secrets of a Third Party and Commercially Sensitive Information

Exhibit A satisfies both elements of Act 80-2011. First, the redacted information derives independent economic value from not being generally known. Pages 10 through 12 of the HTS Proposal disclose how HTS LATAM prices and structures a turnkey mechanical rebuild and full controls upgrade of a GT11N1 gas turbine: the allocation of the price among services, parts and system upgrade hardware, and structural repairs; a separate onsite services cost figure that is not disclosed in the Motion; a milestone payment schedule tied to the delivery of each controls subsystem and of the mechanical parts; the condition that parts and labor be contracted together as a single project; its invoicing terms and the validity period of its offer; the size and composition of its field team; the exclusions and items allocated to the owner; and its time and material and warranty terms. Pages 5 through 9, in turn, set out the unit specific scope that HTS LATAM has priced, including the components it will replace and the systems it will supply. A competitor with access to this information could underbid HTS LATAM's pricing or use its commercial terms to position itself against HTS LATAM in the contracting of this project or in any future procurement for the rehabilitation or maintenance of gas turbines in PREPA's legacy generation fleet. Under the broad definition adopted in *Ponce Adv. Med.*, this information falls squarely within the protection of Act 80-2011.

The fact that the Motion discloses the estimated aggregate cost of the rehabilitation and its three principal components does not alter this conclusion. Genera disclosed those figures at a high

level so that the Energy Bureau and the public could understand and evaluate the request for authorization. The granular pricing, payment structure, commercial conditions, staffing, and scope contained in Exhibit A remain nonpublic and retain their full competitive value.

Second, the information has been subject to reasonable measures to maintain its confidentiality. HTS LATAM did not make the HTS Proposal public. It prepared the document specifically for Genera and the Cambalache Power Plant and delivered it directly to Genera. Genera, in turn, has limited access to the HTS Proposal to the personnel and advisors who need it to evaluate the project and submitted it to the Energy Bureau marked as confidential.

The confidential nature of Exhibit A is heightened by the fact that the contracting process has not concluded. The HTS Proposal is expressly a budgetary proposal. By its own terms, its numbers are conditioned on a new assessment visit to the site to determine the actual condition of Unit 1 and its auxiliaries, after which HTS LATAM will submit a final updated proposal. The project remains subject to the Energy Bureau's authorization and to the applicable federal funding approvals and requirements. Public disclosure of HTS LATAM's preliminary pricing and terms before the final scope and price are negotiated would effectively establish a floor for those negotiations, could compromise the integrity of any competitive process that may be required, and would ultimately harm the interests of PREPA and its ratepayers. This is precisely the type of information that Article 1.10(i)(iii) of Act 17-2019 excludes from disclosure as ideas regarding the negotiation of potential contracts of PREPA.

The Energy Bureau has recognized that pricing submitted in the context of a contracting process that has not concluded warrants confidential treatment. In *In re: Electric System Priority Stabilization Plan*, Case No. NEPR-MI-2024-0005, the Energy Bureau granted confidential designation and treatment to the exhibits containing the pricing of a proposed emergency

generation contract, which PREPA had asked to be kept confidential until the evaluation process concluded and the final contract was executed, and it evaluated the reasonableness of those prices without disclosing them. *See* Resolution and Order of December 11, 2025. The same approach is warranted here: the Energy Bureau can evaluate the HTS Proposal in full, while the public retains access to the aggregate cost information described in the Motion.

Genera is not the owner of this information. It received the HTS Proposal in its role as operator of the Cambalache Power Plant and submits it to the Energy Bureau solely in support of its request for authorization. Article 1.10(i)(vii) of Act 17-2019 expressly exempts trade secrets of third parties from the information that electric power service companies must disclose, and the privilege recognized under Rule 513 of the Rules of Evidence allows the owner of a trade secret to prevent others from revealing it. Genera therefore has a duty to protect the confidentiality of third party proprietary information that was entrusted to it for a limited purpose. Exhibit A also qualifies for protection as sensitive commercial information under Article 4 of Act 122-2019 and as privileged information under Section 1.15 of Regulation 8543. Accordingly, Genera respectfully requests that the Energy Bureau designate the pricing and commercial terms of Exhibit A as trade secret information subject to Section D(1) of the Policy on Confidential Information.

B. Exhibit A Constitutes Confidential Information under the LGA OMA

The HTS Proposal is a document collected and used by Genera in connection with Cambalache Unit 1, one of the Legacy Generation Assets, and with the O&M Services, since Genera obtained it to evaluate the rehabilitation of that unit and relies on it in support of the Motion. It therefore constitutes Facility Information under Section 1.1 of the LGA OMA, which Section 13.2(a)(i) deems the Owner's Confidential Information and which Genera must keep strictly confidential and protect against disclosure under Section 13.2(a)(ii). Its contents, moreover,

consist of nonpublic vendor information, cost data, the proposed terms of a contract with a third party, and technical designs and specifications, all of which Section 1.1 expressly lists as examples of Confidential Information, and the warranty it offers runs in favor of PREPA. Genera submits Exhibit A to the Energy Bureau in support of the Motion, as Section 13.2(b) of the LGA OMA permits, but that submission does not relieve Genera of its contractual duty to seek its protection. Article 1.10(i)(viii) of Act 17-2019 likewise excludes from disclosure matters that must be kept confidential under a confidentiality agreement that is not contrary to the public interest.

C. Exhibit A Contains Critical Energy Infrastructure Information

Pages 5 through 9 of Exhibit A describe, in detail, the current condition and the proposed rebuild of Cambalache Unit 1. They identify the specific repairs the gas turbine requires and state that the unit's hot gas path and compressor internal parts, including the hot gas casing, are in a condition that requires their replacement. They also identify the specific platforms and components of the unit's control and protection architecture that will be replaced, including the turbine control system, the open loop control system conversion, the pulsations monitoring system, the gas monitoring system and its relocation, the automatic voltage regulator, the speed control detection system, the blow off valve sensing system, the flame scanner detection system, and the generator breaker. In addition, they identify specific instrumentation by its plant designation and describe the logic and trip checks, overspeed testing, and base load adjustment procedures for the unit. This is specific engineering, vulnerability, and detailed design information about existing energy infrastructure that relates to the generation of energy and could be useful to a person seeking to damage the facility or interfere with its control and protection systems, whether physically or through cyber means.

The Cambalache Power Plant is part of the Legacy Generation Assets and, as explained in the Motion, houses thermal generation and the current installation of the battery energy storage system that is critical to the reliability of Puerto Rico's electric system. It therefore constitutes critical infrastructure within the meaning of 18 C.F.R. § 388.113(c)(4), since its incapacity would negatively affect the economic security and the public health and safety of Puerto Rico. The design information in Exhibit A therefore meets the definition of CEII under 18 C.F.R. § 388.113(c)(2), falls within the protective purposes of the Critical Infrastructure Information Act and Act 40-2024, and warrants the heightened access restrictions of Section D(2) of the Policy on Confidential Information. The protective purposes of Act 40-2024 are particularly pertinent here, since Exhibit A identifies the digital control and protection systems that govern the operation of the unit. Genera, as the sole operator of the Legacy Generation Assets under the LGA OMA, is performing public services under contract with the government of Puerto Rico within the meaning of Act 40-2024. Likewise, Article 1.10(i)(ix) of Act 17-2019 exempts from disclosure public security matters relating to threats against the property of electric power service companies.

The Energy Bureau has consistently granted CEII treatment to comparable information in this proceeding, upon finding that it contained detailed information regarding specific electric infrastructure and system configuration that could compromise the security or resilience of critical electric infrastructure if publicly disclosed. *See* Resolution and Order of October 6, 2026 (Project No. 752540); Resolution and Order of October 7, 2026. The same conclusion applies to the detailed condition and control system information of a generating unit.

D. The Requested Protection Is the Least Restrictive Alternative

Section 6.15(a) of Act 57-2014 requires the Energy Bureau to grant confidential protection in the manner that least affects the public interest, transparency, and the rights of the parties. 22

LPRA § 1054n. The requested protection meets that standard. In compliance with Section A(6) of the Policy on Confidential Information and 18 C.F.R. § 388.113(d)(1)(ii), Genera submits, concurrently with this Memorandum, a public redacted version of Exhibit A.

In the public version, Genera preserved the cover page, table of contents, and introduction of the HTS Proposal, including HTS LATAM's statement that its budgetary numbers are conditioned on a new assessment of the unit; HTS LATAM's description of its company, services, and safety program; the introduction to its scope of work; and the heading of each section of the proposal. Genera redacted only the unit specific scope, condition, and control system information on pages 5 through 9 and the pricing and commercial terms on pages 10 through 12. Together with the Motion, which discloses the purpose of the rehabilitation, its general scope, its estimated aggregate cost and principal cost components, and its expected duration, the public version allows the public to understand the nature of the HTS Proposal and the relief requested, while protecting only the information whose disclosure would cause the harms described above. The Energy Bureau and its personnel, in turn, will retain full access to the unredacted Exhibit A in the exercise of their regulatory functions.

V. CONCLUSION

In sum, the redacted portions of Exhibit A consist of a third party's pricing and commercial terms for a contract that remains under negotiation, together with detailed information about the condition and the control and protection systems of critical energy infrastructure, all of which falls within the categories of confidential information recognized by Act 57-2014, Act 17-2019, Act 80-2011, Act 122-2019, Act 40-2024, Regulation 8543, federal law, and the LGA OMA. Accordingly, Genera respectfully submits that the redacted portions of Exhibit A warrant confidential treatment as Validated Confidential Information, with the pricing and commercial

terms subject to Section D(1) of the Policy on Confidential Information and the design and technical information subject to the access restrictions applicable to CEII under Section D(2).

WHEREFORE, Genera respectfully requests that the Energy Bureau **take notice** of the above Memorandum of Law and of the public redacted version of Exhibit A submitted concurrently herewith; **grant** confidential treatment to the redacted portions of Exhibit A of the *Motion Requesting Authorization for the Rehabilitation of Cambalache Unit 1*, identified in Section II hereof, as Validated Confidential Information pursuant to Section 6.15 of Act 57-2014 and the Policy on Management of Confidential Information, CEPR-MI-2016-0009, as amended; **designate** the pricing and commercial terms on pages 10 through 12 of Exhibit A as trade secret information subject to Section D(1) of said Policy, and the information on pages 5 through 9 regarding the condition of Cambalache Unit 1 and its control, protection, and instrumentation systems as Critical Energy Infrastructure Information subject to Section D(2) of said Policy; and **maintain** the unredacted version of Exhibit A under seal.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 9th day of November 2026.

ECIJA SBGB

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San Juan, PR 00936-3068
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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and accurate copy of this memorandum was filed with the Office of the Clerk of the Energy Bureau using its electronic filing system and that we will send an electronic copy of this memorandum and of the public redacted version of Exhibit A to the following counsel of record: alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; rcruzfranqui@gmlex.net; mvalle@gmlex.net; margarita.mercado@us.dlapiper.com; yahaira.delarosa@us.dlapiper.com; and emmanuel.porrogonzalez@us.dlapiper.com.

In San Juan, Puerto Rico, this 9th day of November 2026.

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ José Javier Díaz Alonso
José Javier Díaz Alonso

/s/ Ernesto Raúl Ramos Maldonado
Ernesto Raúl Ramos Maldonado

Exhibit A (Public Redacted Version)

Budgetary Proposal, Cambalache Power Plant

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HTS LATAM LLC
HUGHES TECHNICAL SERVICES
Power Plant Commssioning and Maintenance

GENERA PR
Cambalache Power Plant

PROPOSAL

FOR

Executing the GT11N1 Unit 1 Turnkey Mechanical Rebuild and Full Controls Upgrade

HTS LATAM Budgetary Proposal # CAM 06172026

June 17, 2026



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HTS LATAM LLC
HUGHES TECHNICAL SERVICES
Power Plant Commssioning and Maintenance

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1. Introduction

HTS LatAm is pleased to provide our budgetary proposal for mechanical rehabilitation and full controls upgrades for Unit 1 Gas Turbine at the Cambalache facility in Puerto Rico.

Please be assured that our service engineers have years of power plant, maintenance experience and have been OEM trained and certified.

This proposal's budgetary numbers are conditioned to a new assessment visit to site to determine the actual condition of Unit 1 and auxiliaries.

A final updated proposal will be submitted after unit assessment.

(HTS LatAm)
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FAX: +1 717 222 5261

HTS LATAM LLC
HUGHES TECHNICAL SERVICES
Power Plant Commssioning and Maintenance

2. About HTS

HTS is a focused supplier of high-value consulting, engineering, commissioning and maintenance services to power plant owners worldwide, with a focus on Alstom/ABB legacy fleets and other OEM on a case by case basis.

Founded in January 2014 by ex-Alstom/ABB personnel, HTS has already amassed a significant customer base with several major contracts and projects obtained and completed. All key personnel are Ex ALSTOM or ABB employees or consultants.

With our partner companies, HTS can completely service all aspects of gas and steam turbines from small troubleshooting assignments to major overhauls.

Services Provided:
Turbines:

- Commissioning and Overhaul services – including tuning, GT and ST startup and valve calibration, upgrades, inspections and maintenance. Emissions and Pulsation mitigation
- GT and ST performance and reliability enhancements including GT turbine inlet temperature verification
- Verification of turbine parameters
- Troubleshooting
- Minor and Major Overhauls, GT, ST and generators
- NERC/FERC testing
- Equipment maintenance including Control System, AVR and SFC
- Steam turbine commissioning, valve calibration, trip checks and instrument verification

Electrical:

- Upgrades including, AVR, Synchronizing, SFC and generator protection
- NERC testing
- Equipment maintenance including AVR, SFC and Control system
- ABB Reg 216/316, MICOM calibration and testing
- ABB Synchrotact III, IV, V testing and configuration
- ABB Unitrol M, P, F commissioning and maintenance
- Alstom P100 (Contragen) commissioning and maintenance

Control Systems:

- Upgrades of Gas and Steam Turbine Governors, protection and open loop
- HMI Upgrades
- Critical Single Point of Failure identification

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HTS LATAM LLC
HUGHES TECHNICAL SERVICES
Power Plant Commssioning and Maintenance

- Electronics and Hydraulics Protection System troubleshooting and maintenance
- Electronics Protection System upgrades to fail safe fault tolerant 2oo3 concept
- Power Plant Controls System design and operations Consulting Services
- Troubleshooting
- Spare parts
- Preventative maintenance
- On-site training
- Programming and maintenance of Alstom systems, P13, P14, BlueLine, P320, P400, ALSPA, ADVANT,
- Dekontic maintenance and upgrades

VOITH
Inspiring Technology for Generations

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Research Institute in Warsaw
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phone: +48 58 34 98 200
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HTS is an Authrized Provider for

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3. Safety

HTS maintains one of the most successful safety programs in our industry. Our commitment to the safety of our employees and those working around us is evident in our safety record and echoed by the accountability and involved leadership that runs to the core of HTS.

Our success is the direct result of our transition to a culture of ownership, where everyone is accountable from the CEO to the Technical Advisors and Engineers working at our client sites.

Through the rigorous implementation of our independent safety program, we have proven that accident-free performance is possible. Our success in this endeavor is best illustrated by our industry-leading safety performance. HTS' comprehensive Environment, Health and Safety (EHS) Program incorporates both Industrial and Environmental Safety and has resulted in zero lost time incidents to date.

4. Scope of Work

HTS proposes the outage management and supervision for the rebuilding of the GT11N1 Unit 1 gas turbine at the Cambalache facility as described below.

4.1 GT11N1 Rebuilding Scope:



[redacted]

4.2 Generator:

[redacted]

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[redacted]

4.3 Commissioning and Startup Support

4.3.1 Cold commissioning

[redacted]

4.3.2 Hot Commissioning

[redacted]

4.3.3 Emissions and Pulsations Testing

[redacted]

[redacted]

4.3.4 GT / Generator Balancing

[redacted]

4.3.5 Base Load Adjustment

[redacted]

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[redacted]

4.4 GT / COMPRESSOR PARTS

[redacted]

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5. HTS Manpower Provided

[redacted]

6. Exclusions/Clarifications/Provided by Site

[redacted]

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7. Pricing

[redacted]

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8. Schedule, Key Milestone Dates

[redacted]

9. Time and Material Rates:

[redacted]

10. Warranty

[redacted]

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