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

IN RE:	**CASE NO.:** NEPR-MI-2021-0004
REVIEW OF LUMA'S INITIAL BUDGETS	**SUBJECT:** Motion to Submit Budget to Actuals Report for First Quarter of Fiscal Year 2027

MOTION TO SUBMIT BUDGET TO ACTUALS REPORT FOR FIRST QUARTER OF FISCAL YEAR 2027

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 states and requests the following:

1. On June 25, 2023, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order titled *Determination on the FY24 Annual Budgets for the Electric Utility System – LUMA, Genera, and PREPA* ("June 25th Order"), through which it (1) modified the Proposed Consolidated Fiscal Year 2024 Budget as submitted by LUMA on May 16, 2023; (2) approved the modified budgets subject to compliance with various orders included in the June 25th Order; and (3) included a series of determinations and orders addressed to Genera regarding the GenCo Budget. *See*, June 25th Order, pp. 16 - 21.

2. Pertinent to this Motion, through the June 25th Order, the Energy Bureau ordered Genera to submit the Budget to Actuals ("B2A") report, consisting of the tracking of certified B2A

[1] 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, 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 provided by Genera under the LGA OMA.

for GenCo, based on a consolidated template to be provided by the Financial Oversight and Management Board for Puerto Rico ("FOMB"), on a quarterly basis.

3. On June 26, 2024, the Energy Bureau issued a Resolution and Order titled *Determination on the FY25 Annual Budgets for the Electric Utility* ("June 26th Resolution"), through which the Energy Bureau amended the proposed FY2025 Budget Submission as outlined in the June 26th Resolution. Additionally, the Energy Bureau concluded that the FY2025 Budget Submission as adjusted and amended per the June 26th Resolution, was in compliance with Act No. 57-2014[2] and the 2017 Rate Order[3]. Through the June 26th Resolution, the Energy Bureau ordered that "[a]ll existing Reporting Requirements remain in full force and effect" including the B2A report, consisting of the tracking of certified B2A for GenCo, based on a consolidated template to be provided by the FOMB, on a quarterly basis, set forth in the June 25th Order.

4. On June 25, 2026, Genera filed a document titled Genera PR LLC's Submission of Additional Information and Supporting Documentation in Compliance with the June 15, 2026 Resolution and Order, and Request for Guidance and Authorization Regarding FY2026 Reliability-Critical Expenditures ("June 25 Submission"), through which, among other matters, Genera requested protective treatment for expenditures incurred in good faith during Fiscal Year 2026 ("FY2026") under the temporary and provisional budget authority established by the Energy Bureau.

5. On August 17, 2026, Genera filed a document titled *Motion for Extension of Time to Submit the FY2026 Budget to Actual Report* ("August 17 Motion"), through which it requested

[2] *See* Act No. 57, of May 27, 2014, as amended, also known as the "*Puerto Rico Energy Transformation and RELIEF Act*" ("Act No. 57-2014").

[3] *See* Final Resolution and Order, *In Re: Puerto Rico Electric Power Authority Rate Review*, Case No. CEPR-AP-2015-0001, January 10, 2017 ("2017 Rate Order").

an extension of time to submit its FY2026 B2A Report until the Energy Bureau issues a determination regarding the FY2026 budget and reconciliation matters raised in Genera's June 9, 2026 and June 25, 2026 filings in this proceeding.

6. As explained in the August 17 Motion, the Energy Bureau issued the Final Resolution and Order on Electricity Rates on April 15, 2026 ("Final Rate Order"),[4] which established the final budget treatment for FY2026 after approximately ten months of the fiscal year had elapsed. During that period, Genera operated the Legacy Generation Assets under the temporary and provisional budget authority established by the Energy Bureau. Accordingly, the FY2026 year-end reconciliation requires Genera to account for the expenditures incurred under such temporary and provisional budget authority, while also reflecting the budget treatment established in the Final Rate Order.

7. On October 1, 2026, the Energy Bureau issued a Resolution and Order ("October 1 Order"), through which it took under advisement the remaining requests set forth in Genera's June 25 Submission, including the request for protective treatment of good-faith FY2026 expenditures, as well as Genera's *Motion to Inform Lack of Funding of the Genera Contingency Reserve Account and Request for Order Directing Immediate Funding*, filed on September 11, 2026 ("Funding Motion"), indicating that these matters would be addressed separately.

8. To date, the August 17 Motion remains pending before the Energy Bureau. Although the October 1 Order acknowledged that certain FY2026 budget-related matters remain under consideration, the Energy Bureau has not yet issued a determination addressing the August 17 Motion. Genera will submit its FY2026 B2A Report once the Energy Bureau addresses the matters raised in the August 17 Motion. The extension requested in the August 17 Motion pertains

[4] *See* Final Resolution and Order on Electricity Rates, *In Re: Puerto Rico Electric Power Authority Rate Review*, Case No. NEPR-AP-2023-0003, April 15, 2026.

only to the FY2026 B2A Report and does not affect the quarterly B2A reports for Fiscal Year 2027 ("FY2027").

9. Given that FY2026 has concluded and the August 17 Motion remains pending, Genera respectfully requests that the Energy Bureau address the matters raised therein as soon as practicable to allow Genera to complete the FY2026 year-end reconciliation and submit its FY2026 B2A Report without further delay.

10. In compliance with the June 25th Order and the June 26th Resolution, Genera hereby submits to the Energy Bureau, attached as ***Exhibit A*** to this Motion, its First Quarter Budget to Actuals Report for FY2027 ("Q1 FY2027 B2A Report") to fulfill the B2A quarterly report requirement.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **deem** Genera in compliance with the June 25th Order and the June 26th Resolution as they pertain to the Q1 FY2027 B2A Report; **take notice** that Genera will submit its FY2026 B2A Report once the Energy Bureau addresses the August 17 Motion; and issue a determination on the pending August 17 Motion as soon as practicable to allow Genera to complete the FY2026 year-end reconciliation and submit the corresponding B2A Report without further delay.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 16th day of November 2026.

[Signature page follows.]

ECIJA SBGB
PO Box 363068
San Juan, Puerto Rico 00920
Tel. (787) 300.3200
Fax (787) 300.3208

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo
jfernandez@ecija.com
TSPR 9,669

/s/ José Javier Díaz Alonso
José Javier Díaz Alonso
jdiaz@ecija.com
TSPR 21,718

/s/ Ernesto Raúl Ramos Maldonado
Ernesto Raúl Ramos Maldonado
eramos@ecija.com
TSPR 23,882

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System and that an electronic copy of this motion will be sent to the following counsel of record: katiuska.bolanoslugo@us.dlapiper.com; regulatorypreborders@lumapr.com; margarita.mercado@us.dlapiper.com; jan.albinolopez@us.dlapiper.com; alexis.rivera@prepa.pr.gov; rcruzfranqui@gmlex.net; kmercado@jrsp.pr.gov; yahaira.delarosa@us.dlapiper.com; katiuska.bolanos-lugo@us.dlapiper.com; nzayas@gmlex.net; mvalle@gmlex.net.

In San Juan, Puerto Rico, this 16th 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

Q1 FY2027 B2A Report

(Native file submitted via e-mail)