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:** Coordination with Municipalities Regarding the Scope of Work for Federally Funded Public Streetlighting Projects

RESOLUTION AND ORDER

I. Background

Through its Resolutions and Orders issued on February 5, February 11, March 12, June 18, and August 12, 2026, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") established and subsequently modified the framework governing the allocation of federal funding and the activation and reactivation of priority projects under the Consolidated FEMA Accelerated Award Strategy ("FAASt") Project Plan. These determinations included projects for the repair, replacement, and modernization of public streetlighting infrastructure across Puerto Rico. As part of this process, LUMA[1] is responsible for developing the corresponding Scopes of Work ("SOWs") for the public streetlighting projects included in the approved project portfolio.

The Energy Bureau recognizes that municipalities possess valuable information regarding the condition of public streetlighting infrastructure within their respective jurisdictions and may have identified specific streets, communities, and locations requiring priority attention. Accordingly, appropriate coordination between LUMA and the municipalities may facilitate the effective allocation of available resources and ensure that the projects address identified community needs, to the extent such needs fall within the scope of the projects eligible for federal funding.

This approach is also consistent with the public policy reflected in Act No. 174-2026, known as the *Act for Municipal Collaboration in the Installation, Repair, Maintenance, and Modernization of the Public Streetlighting System*, and the regulatory framework previously established by the Energy Bureau through Regulation No. 9774[2]. Both recognize the importance of municipal participation and effective coordination with the electric system operator in advancing the restoration and modernization of public streetlighting infrastructure. This public policy underscores the value of cooperation between LUMA and municipal governments to address local priorities, promote the efficient use of available resources, and accelerate project implementation, while preserving applicable technical, operational, and federal funding requirements.

At the same time, the Energy Bureau emphasizes that the timely implementation of these projects is essential to preserving available federal funding, particularly considering the **September 20, 2027**, FEMA period-of-performance deadline identified in the Energy Bureau's November 4, 2026 Resolution and Order, subject to any extension duly authorized by the appropriate federal authorities.

II. Determination

In light of the foregoing, and consistent with the public policy promoting municipal collaboration in the restoration and modernization of public streetlighting infrastructure,

[1] LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, "LUMA").

[2] NEPR, *Regulation for the Authorization, Oversight, and Regulation of Municipal Participation in Public Street Lighting Connected to the Electric Grid*, Regulation 9774, Department of State, June 22, 2026 ("Regulation 9774").

the Energy Bureau determines that municipalities should be afforded a reasonable opportunity to receive information regarding the streetlighting locations contemplated in the SOWs developed or being developed by LUMA, including those already approved, submitted and pending evaluation or approval, as well as those currently under development or pending submission, and communicate any priorities previously identified within their respective jurisdictions that may be eligible for inclusion under the applicable federal funding requirements.

Such coordination must be conducted in good faith and in a manner consistent with the approved project budgets and applicable federal funding requirements, while allowing for reasonable adjustments to project scopes and implementation schedules, as appropriate, to accommodate municipal priorities, provided that such adjustments do not jeopardize the availability or timely utilization of federal funds within the applicable deadlines.

The Energy Bureau emphasizes that this process is intended to facilitate the timely and effective implementation of the projects and shall not result in delays that could jeopardize the availability or timely utilization of federal funds. For SOWs already submitted for evaluation or approval, any consideration of municipal priorities, including potential modifications to the proposed scope of work, shall be subject to applicable federal funding requirements and the need to ensure timely project implementation within the applicable funding deadlines.

III. Conclusion

The Energy Bureau hereby **ORDERS** LUMA, with respect to each municipality for which it is developing a SOW for federally funded public streetlighting projects, to:

1. Notify and provide, **within five (5) days following the issuance of this Resolution and Order**, each municipality, through its Mayor or a representative designated by the Mayor, with the corresponding SOWs and approved Project Worksheets (PWs), as applicable, including sufficient supporting information to identify the streetlighting fixtures contemplated therein, their respective locations, and the nature and scope of the work proposed for each location. Such information may be provided through the corresponding SOWs, PWs, or supporting documentation, including inventories, maps, or location-specific listings. This requirement shall apply to SOWs already approved, submitted for evaluation or approval, pending submission, or currently under development, to the extent such information is available. For SOWs still under development for which the streetlighting locations or corresponding work have not yet been identified, LUMA shall provide the relevant information as soon as it becomes available in the ordinary course of project development, without jeopardizing the timely utilization of federal funds within the applicable deadlines.

2. Coordinate in good faith with the corresponding municipality to provide a reasonable opportunity to identify priority streetlighting locations and, to the extent technically and financially feasible, consider incorporating those priorities into the applicable SOW, provided that such locations and associated work are eligible under the applicable federal funding requirements and fall within the authorized scope of the federally funded project. To this end, LUMA shall initiate meetings with each municipality **no later than ten (10) days following the notification** and provision of the corresponding SOWs and PWs, for the purpose of discussing the municipality's identified priorities and coordinating any adjustments that may be appropriate and feasible. Such coordination shall be conducted in a manner that does not jeopardize the availability or timely utilization of federal funds within the applicable deadlines.

3. Ensure that the foregoing notification and coordination activities are conducted concurrently with the ongoing development and implementation of the projects, allowing for reasonable adjustments to project scopes and

implementation schedules, as appropriate, to accommodate eligible municipal priorities. Such activities and any resulting adjustments shall be conducted in a manner that does not jeopardize the availability or timely utilization of federal funding within the applicable deadlines.

4. File, no later than **December 20, 2026**, a consolidated compliance report with the Energy Bureau, detailing, for each municipality, the status of compliance with the requirements established in this Resolution and Order. At a minimum, the report shall identify the corresponding SOWs and PWs, their current status, the dates on which the relevant information was provided to each municipality, the dates of meetings held or scheduled, a summary of the municipal priorities identified, the status of the coordination efforts, and any proposed or agreed-upon adjustments to the corresponding projects, if applicable.

The Energy Bureau **REAFFIRMS** that the timely implementation of federally funded projects remains a priority and that all previously established requirements, deadlines, and obligations remain in full force and effect.

The Energy Bureau **WARNS** LUMA that failure to comply with this Resolution and Order may result in the imposition of administrative fines, sanctions, or any other remedy available under Act 57-2014[3], as amended, and other applicable law.

Be it notified and published.

Edison Avilés Deliz
Chairman

Ferdinand A. Ramos Soegaard
Associate Commissioner

Sylvia B. Ugarte Araujo
Associate Commissioner

Antonio Torres Miranda
Associate Commissioner

Omar M. Rodríguez González
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on November 17, 2026. I also certify that on November 17, 2026, I have proceeded with the filing of this Resolution and Order and was notified by email to regulatory@genera-pr.com, legal@genera-pr.com, jfernandez@ecija.com, eramos@ecija.com; jdiaz@ecija.com, sromero@ecija.com; alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net; Yahaira.delarosa@us.dlapiper.com; Emmanuel.porrogonzalez@us.dlapiper.com.

I sign this in San Juan, Puerto Rico, today November 17, 2026.

Sonia Seda Gaztambide
Clerk

[3] Known as the *Puerto Rico Eneergy Transformation and RELIEF Act*, as amended ("Act 57-2014").