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

IN RE: ANNUAL PERFORMANCE TEST PROCEDURE – THERMAL GENERATION EQUIPMENT	**CASE NO.:** NEPR-MI-2023-0003 and NEPR-MI-2025-0002 **SUBJECT:** Resolution and Order for Virtual Technical Conference Concerning Genera's Motion to Submit Revised Annual Performance Test Procedure

RESOLUTION AND ORDER

On March 13, 2026, Genera PR, LLC ("Genera") filed its *Motion to Establish Genera's Equivalent Availability Factor Targets for FY25 and FY26, Including Capacity and Heat Rate, and Submit the Annual Performance Test Results*, through which Genera filed its Equivalent Availability Factor ("EAF") targets for Fiscal Year ("FY") 25 and FY26 together with its Annual Performance Test ("APT") results, including Exhibits A and B ("March 13 Submission").

On July 22, 2026, Genera filed its *Motion to Submit Revised Annual Performance Test Procedure* ("July 22 Motion"), including, as Confidential Exhibit A, a revised procedure dated June 9, 2026. On July 31, 2026, Genera filed *Memorandum of Law in Support of Confidential Treatment if the Revised Annual Performance Test Procedure Submitted on July 22, 2026*, requesting confidential treatment of the revised procedure.

On August 19, 2026, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("August 19 Order") requiring Genera to respond to the requirements of information ("ROI") identified in Attachment A of the August 19 Order.

On September 3, 2026, Genera filed its *Motion to Submit Responses to the August 19, 2026 Requirement of Information and Request for Confidential Treatment* ("September 3 Motion"). Through the September 3 Motion, Genera submitted its response to the ROI as Exhibit 1 and a corrected and updated version of the Exhibit A spreadsheet previously submitted with the March 13 Motion as Exhibit 2. The revised spreadsheet incorporated corrections and previously omitted test information and replaced the earlier spreadsheet; it did not replace the test reports already in the record. On September 14, 2026, Genera filed *Memorandum of Law in Support of Confidential Treatment of Exhibit 3 – Supplemental Final Annual Performance Test Reports Submitted on September 3,* 2026, supporting confidential treatment of the supplemental APT reports filed with the September 3 Motion.

After reviewing Genera's September 3 response, the Energy Bureau concluded that it needed additional information to evaluate the proposed revisions. On October 29, 2026, the Energy Bureau issued a Resolution and Order ("October 29 Order") with a supplemental request for information included in Attachment A and directed Genera to respond by November 6, 2026.

On November 6, 2026, Genera filed its *Motion to Submit Responses to the Requirements of Information in Compliance with the October 29, 2026 Resolution and Order and Request for Extension of Time to Respond to Requirement of Information No. 8* ("November 6 Motion") through which Genera responded in part to the supplemental ROI and included Exhibits 1, 2 and 3, and stated that it would provide certain requested information in a supplemental response.

On November 12, 2026, Genera filed its *Motion to Submit Supplemental Response to Requirement of Information No. 8 in Compliance with the October 29, 2026 Resolution and Order* ("November 12 Motion"), in which Genera submitted its supplemental responses to the ROI.

The Energy Bureau **ORDERS** Genera, LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, "LUMA") to appear at a Virtual Technical Conference to be held **Thursday, December 8 through 9, 2026, beginning at 10:00 a.m. AST each day**, to clarify matters related to the revisions to the APT Procedure filed by Genera on July 22, 2026. Genera shall be

prepared to address, among other matters, the effect, if any, of the proposed revisions on the effectiveness and repeatability of the revised APT procedure and the potential impact on the EAF. An agenda will be provided prior to the Virtual Technical Conference.

The Secretary of the Energy Bureau **SHALL** timely provide Genera and LUMA with the appropriate link to access the Virtual Technical Conference.

The Energy Bureau **WARNS** Genera and LUMA that under Article 6.36 of Act 57-2014[1] noncompliance with this Resolution and Order, applicable regulations, or laws may carry the imposition of fines and administrative sanctions.

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 has so agreed on November 17, 2026. I also certify that on November 18, 2026 a copy of this Resolution and Order was notified by electronic mail to PREBorders@lumapr.com; laura.rozas@us.dlapiper.com; jfernandez@ecija.com; eramos@ecija.com; jdiaz@ecija.com; legal@genera-pr.com; regulatory@genera-pr.com; lrn@roman-negron.com. I also certify that today, November 18, 2026, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today November 18, 2026.

Sonia Seda Gaztambide
Clerk

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

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