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

IN RE: ELECTRIC SYSTEM PRIORITY STABILIZATION PLAN	**CASE NO.:** NEPR-MI-2024-0005 **SUBJECT:** Resolution and Order addressing *Motion to Submit the September 2026 Monthly Collaborative Report in Compliance with Resolutions and Orders of March 28, 2025, and February 18, 2026, and the Joint Verified Priority Stabilization Plan Status and Critical Path Report in Compliance with August 12, 2026, Resolution and Order.*

RESOLUTION AND ORDER

I. Introduction and Background

On March 28, 2025, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("March 28 Order") through which directed LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, "LUMA") to submit, beginning on April 27, 2025, a collaborative monthly report prepared jointly with Genera PR, LLC ("Genera") and the Puerto Rico Electric Power Authority ("PREPA"). Such report was required to include, without limitation, a detailed discussion of each activity's progress and any potential implementation issues, as well as proactive solutions to those issues. The Energy Bureau encouraged LUMA, Genera, and PREPA to hold regular meetings to further facilitate collaboration and ensure compliance with the March 28 Order.[1]

On February 18, 2026, the Energy Bureau issued a Resolution and Order ("February 18 Order") in which it determined that it was necessary to modify the reporting requirements for the Monthly Report pertaining to the Targeted Vegetation Management Program, Vegetation Clearing, and Complete Transmission Line Hardening and Maintenance. In the February 18 Order, the Energy Bureau directed LUMA that the collaborative reports shall include all transmission and distribution lines worked during the fiscal year, the activities performed during the current and prior month, accumulated totals, established targets, and a uniform presentation that would allow for clear comparisons between monthly reports. The Energy Bureau required LUMA to include a table listing all 51 segments, presenting the work performed for each segment and describing the specific activities conducted during the month, including insulation and hardware replacement, pole replacement, hot spot repairs, switch repairs, and other related work. The Energy Bureau also required LUMA to include the total accumulated work per segment, the work performed during the current and prior month, and the applicable targets.[2]

On August 12, 2026, the Energy Bureau issued a Resolution and Order ("August 12 Order") and ordered LUMA, jointly with Genera and PREPA (LUMA, GENERA, and PREPA will be collectively referred to as "the Parties"), to include in the monthly report, for each PSP activity that is not fully complete the original milestone date, the percentage of progress, all pending actions, critical dependencies, the entity responsible for each step, any deviation from the established schedule, the reason for such deviation, the corrective measures underway, and a firm completion date. In addition, the Energy Bureau ordered the inclusion of a detailed

[1] *Resolution and Order, In Re: Electric System Priority Stabilization Plan.* Case No. NEPR-MI-2024-0002, March 28, 2025. p. 11.

[2] *Id.*, February 18, 2026. pp. 1-2.

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

critical-path schedule prohibiting the use of indeterminate terms such as "TBD"[3] unless accompanied by the specific dependency, the reason for the delay, and the date on which the matter would be resolved.

The August 12 Order instructed for a clear accounting of the 800 MW emergency generation procurement, specifying the capacity under contract, the status of all remaining proponents, any outstanding approvals or conditions, and firm dates for when each block of capacity would become available. The August 12 Order also required a site-specific update on the 244 MW flexible generation program, including demolition and decommissioning progress, interconnection and Facility Studies, procurement activities, land transfers, dependencies on BESS and replacement capacity, and the projected construction and commercial operation milestones. Likewise, Genera was required to report the progress of its 430 MW utility-scale BESS portfolio, documenting construction status, interconnection readiness, pending dependencies, equipment delivery, and anticipated commissioning dates. The ASAP Standard Offer 1 BESS portfolio had to be updated with contract execution details, regulatory milestones, and projected CODs for each resource.

LUMA was further required to provide firm schedules for the four 25 MW BESS projects on the 38 kV system, incorporating the impact of FEMA's reactivation, the Section 406[4] review, land-acquisition steps, procurement, design, and construction progress. The August 12 Order also required clarity on remaining short-term generation repairs, critical-component dependencies, and the status of all pending transmission, protection, RTU, and substation activities, particularly where funding limitations or external dependencies persisted. Beginning with the September Monthly Collaborative Report, the entities were required to incorporate all milestone and critical-path information established under the August 12 Order, explain any schedule variances, identify the responsible party, describe corrective measures, and update target completion dates accordingly.[5]

II. September Monthly Collaborative Report

On September 30, 2026, LUMA submitted a *Motion Submitting the September 2026 Monthly Collaborative Report and Joint Verified Priority Stabilization Plan Status and Critical-Path Report* ("Monthly Collaborative Report"). LUMA included four (4) Exhibits to comply with the February 18 and August 12 Orders. However, LUMA explained that "has been unable to include in the Collaborative Reports the 'targets' requested in the February 18 Order for the Targeted Vegetation Management Program, Vegetation Clearing, and Complete Transmission Line Hardening & Maintenance programs due to the lack of any definition or guidance from the Energy Bureau on the requested targets."[6] LUMA requested "a meeting with the Energy Bureau to discuss and align the expectations associated with these targets."[7] In the meantime, LUMA requested to the Energy Bureau to waive this requirement. The Energy Bureau notes that discussions regarding the vegetation management targets were held on September 4, 2026, and October 21, 2026. During discussions with Energy Bureau consultants ("ALIANZA"), LUMA confirmed that its established annual vegetation management target is 1,600 miles per year. Accordingly, no further clarification meeting is

---

[3] TBD is the written abbreviation for "to be decided" or "to be determined", used when something has not yet been decided or is not yet known.

[4] Section 406 of the Stafford Act. 44 C.F.R. Part 206.

[5] *Resolution and Order, In Re: Electric System Priority Stabilization Plan*. Case No. NEPR-MI-2024-0002, August 12, 2026. pp. 1-2.

[6] *In Re: Electric System Priority Stabilization Plan*, Case No. NEPR-MI-2024-0002, *Motion Submitting the September 2026 Monthly Collaborative Report and Joint Verified Priority Stabilization Plan Status and Critical-Path Report* ("Monthly Collaborative Report"), submitted by LUMA on September 30, 2026. p. 4.

[7] *Id.*

NEGOCIADO DE ENERGÍA DE PUERTO RICO
NEPR

required. Future filings shall clearly identify progress against this target and explain the methodology used to calculate completion percentages.

III. Analysis and Determinations

The parties were directed by the Energy Bureau to submit a joint verified Priority Stabilization Plan ("PSP") Status Report and Critical-Path Report that would provide, at a minimum, the original completion date, percentage completed, target completion date, remaining prerequisites and actions, schedule variance and rationale, corrective actions, and an indication of whether Energy Bureau action is required. The September 2026 filing includes much of the information required by the Energy Bureau, including original completion dates, measurable progress indicators, target completion dates, and identification of whether regulatory action is required.

However, the columns titled "Remaining Prerequisites & Actions," "Schedule Variance & Rationale," and "Corrective Actions" do not provide the independent summary information contemplated by the Energy Bureau's August 12 Resolution. Instead, those sections largely direct the reader to separate reports and supporting materials, requiring additional review to obtain the information that was intended to be presented in a consolidated format. Furthermore, the Critical-Path Report does not clearly identify critical activities, key milestones, implementation constraints, or schedule dependencies in a manner that facilitates efficient oversight. Accordingly, the Energy Bureau **DETERMINES** that this requirement was **PARTIALLY SATISFIED** and directs the Parties to revise the format of future filings to provide concise, self-contained summaries of pending actions, schedule variances, corrective measures, and critical activities within the PSP reporting table itself.

The parties were required to provide the status of PREPA's stabilization activity for procuring 800 MW of temporary emergency generation, including contracted MW, vendor status, approvals, and firm availability dates. The Monthly Collaborative Report includes a summary indicating that the temporary power Generation contract with Power Expectations LLC was cancelled, and Gotham Energy LLC has not reached an agreement, and Javelin withdrew its proposal, nevertheless, expressed conditional interest in reentering the procurement.

GENERA was required to report on the 244 MW of flexible generation, including demolition, EPC, interconnection, BESS dependencies, and commercial operation milestones for Costa Sur, Jobos, Yabucoa, and Dagüao. In the Monthly Collaborative Report appears that the critical path remains the decommissioning of existing peaker units at Jobos and Dagüao, that demolition activities at Yabucoa are contingent on approval of the demolition plan by the Energy Bureau and Puerto Rico Public–Private Partnerships Authority ("P3A"), and that land transfer discussions with PREPA were scheduled for September 4, 2026. Detailed status updates and project milestones were also provided. Accordingly, the Energy Bureau **DETERMINES** that this requirement was **SATISFIED**.

GENERA was instructed to report on progress of the 430 MW BESS projects, including construction, design, equipment deliveries, interconnection, and commercial operation schedules. The Monthly Collaborative Report includes construction progress updates and interconnection study details; however, it does not provide specific information on equipment deliveries nor a comprehensive implementation schedule. The Energy Bureau **DETERMINES** the requirement is only partially met, and the response is considered **INCOMPLETE**.

Regarding the 594.4 MW ASAP BESS program, the parties were required to update the status of the ten (10) Standard Offer Agreements, LGIA processes, system impact studies, financing, and expected commercial operation timelines. In the Monthly Collaborative Report appears a table summarizing the status of all ten (10) agreements and associated studies. The Energy Bureau **DETERMINES** that the parties **SATISFIED** the requirement.

LUMA was required to update the status of the 100 MW LUMA BESS program (four 25 MW projects), including FEMA reactivation, land acquisition, funding, procurement, construction, and commissioning. LUMA addressed each of these topics in Exhibit 4 of the Monthly Collaborative Report and provided a high-level implementation schedule. The Energy Bureau **DETERMINES** that this requirement was **SATISFIED**. The Energy Bureau notes that the reporting section addressing the 100 MW LUMA Battery Energy Storage System program is no longer required. Accordingly, the parties are directed to remove this section from future Monthly Collaborative Reports.

Regarding to short-term generation repairs at Aguirre, San Juan, Costa Sur, Palo Seco, and other PSP units, in the Monthly Collaborative Report appears summaries of unit conditions, available MW, limitations, and repair activities. The Energy Bureau **DETERMINES** that the requirement was **SATISFIED.**

LUMA was required to submit updated information regarding transmission improvements, including transmission line hardening, protection and control upgrades, RTU deployments, substation rehabilitation activities, associated funding sources, and corresponding implementation dates. LUMA provided updated tables summarizing transmission system improvements, including line hardening, protection and control upgrades, RTU deployments, substation rehabilitation, associated funding, and implementation dates. The Energy Bureau **DETERMINES** that the information submitted **SATISFIED** the requirement.

LUMA was required to provide a comprehensive transmission plan containing a prioritized implementation timeline with firm dates. In the Monthly Collaborative Report, LUMA only submitted the Plan on June 1, 2026, but does not include or reference an implementation schedule with firm milestones as required. The Energy Bureau **DETERMINES** this response is considered **INCOMPLETE.**

IV. Order

Regarding the 430 MW Genera BESS Program, the Energy Bureau **ORDER** Genera to provide the specific equipment delivery dates, a comprehensive and consolidated implementation schedule, a site-specific commissioning timeline, and any dependencies impacting commercial operation.

The Energy Bureau **ORDER** LUMA to file a revised transmission plan that includes a prioritized implementation timeline with firm dates. The filing of June 1, 2026, did not satisfy this obligation because it omitted the required implementation schedule.

The supplemental updated plan required herein shall be submitted within **fifteen (15) days** of issuance of this Resolution and Order.

The Energy Bureau **WARNS** the parties that failure to comply with this Resolution, applicable regulations and/or laws could lead to the imposition of fines and/or administrative sanctions in accordance with the provisions of Article 6.36 of Act No. 57-2014[8].

Notify and publish.

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

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

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 20, 2026. I also certify that on November 20, 2026, I have proceeded with the filing of this Resolution and Order and was notified by email alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net; erhuertas@eragroupllc.com; raltieri@eragroupllc.com; lrn@roman-negron.com; legal@genera-pr.com; regulatory@genera-pr.com; RegulatoryPREBorders@lumapr.com; Emmanuel.porrogonzalez@us.dlapiper.com; laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com.

I sign this in San Juan, Puerto Rico, today November 20, 2026.

Sonia Seda Gaztambide
Clerk

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