

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

NEPR

Received:

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IN RE: PUERTO RICO ELECTRIC  
POWER AUTHORITY INTEGRATED  
RESOURCE PLAN

CASE NO. CEPR-AP-2018-0001

SUBJECT: REQUEST OF  
INFORMATION FROM LOCAL  
ENVIRONMENTAL  
ORGANIZATIONS

**Request Of Information to Puerto Rico Electric Power Authority from Local  
Environmental Organizations, In Accordance with the Bureau's Order**

Local Environmental Organizations, by and through their legal counsel, hereby submit this Set of Requests of Information to Puerto Rico Electric Power Authority ("PREPA"). This request is submitted in accordance with the Bureau's ruling during the Evidentiary Hearing ordering PREPA to submit certain information on questions that PREPA witnesses were unable to answer during the hearing. Please forward responses to the requests below to all attorneys of record by February 19 2020. The General Instructions for these Requests are enclosed as well.

If any document is being withheld or redacted based on a claim of privilege, please also provide a privilege log identifying and justifying with specificity such withholding or redacting.

Responses are to be provided in electronic, **searchable** format. To date, PREPA has submitted several documents that have not been searchable and do not meet the discovery standards for this proceeding. Text documents should be in the original word processor file format or **searchable PDF**. Data files should be in Excel format in original, electronic, unlocked, format, where possible, with formulas intact.

1. On Tuesday, February 4<sup>th</sup>, Mr. Paredes was unable to provide the current, updated figure on the percentage of non-technical losses, but explained he would be able to do so once he returned to his office on Monday. This figure is intended to be a measure of electricity theft. **Please provide the current, updated figure on the percentage of non-technical losses.**

2. On Wednesday, February 5<sup>th</sup>, Mr. Paredes was unable to state whether the proposed Palo Seco gas-fired plant, or any of the infrastructure accompanying the plant, was in a tsunami flood area. **Please confirm that the Palo Seco plant, depot and accompanying infrastructure<sup>1</sup> are in a tsunami flood area, as shown in the Grid Modernization Plan p. 107, Figure 6-6 titled “Map of Palo Seco Plant and Depot in Flood Area.”** Figure 6-6 cites “PREPA, December 20, 2018” as the source of this information. That page is attached for your reference as Attachment A.
  
3. On Thursday, February 6<sup>th</sup>, Dr. Bacalao and Dr. Saenz were unable to provide a complete answer to the question: "What is the cost of preliminary permitting and engineering for each of the Yabucoa and Mayaguez Ship-Based LNG Terminal and 302 MW F-Class CCGT"
  - a. **Please provide the cost of preliminary permitting and engineering for each of the Yabucoa and Mayaguez Ship-Based LNG Terminal and 302 MW F-Class CCGT.**
  - b. This may overlap with the Bureau's request for as much detail as possible on the costs and information on each one of the many tasks outlined in Exhibit 10-5. For each task: is this task to be outsourced? If so, what is the expected cost? If not, which person (or Department) within PREPA will handle the task, and how many hours is it expected to take?
  
4. In order to facilitate the information gathering process, we provide a list from our notes of the information and documents that different parties were instructed or agreed to provide during the Evidentiary Hearing:

**Monday, February 3, 2020**

- A. Synapse requests:
  - Costa Sur Earthquake Damage Report.
  - Updated information on possible demand response with larger industrial loads-from Engineer Gary Soto.

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<sup>1</sup> Specifically including General Store #11 and Engineering Warehouse #5

- B. Information that PREPA agreed to provide:
  - Gary Soto offered to produce information on the percentage of frequency regulation from Costa Sur.
  - Attorney Bolaños agreed to provide information on avoided costs to Non-For-Profit Intervenors by February 13<sup>th</sup>.
- C. Offered by EcoElectrica: Carlos Reyes offered to produce a document detailing the earthquake damages to EcoElectrica.
- D. The Hearing Examiner instructed EDF to submit a written request for certain information on the Palo Seco and Yabucoa facilities. EDF provided this request on February 7<sup>th</sup>.
- E. Not-For-Profit Intervenors Request: Not-For-Profit Intervenors would submit a written request for a study on renewable project sites.

**Tuesday, February 4, 2020**

- F. Synapse requests:
  - Residential load pre-Hurricane Maria.
  - Land availability map.
- G. Offered by Siemens: Dr. Saenz offered to provide information on energy efficiency in writing, since the “true expert on energy efficiency” could not come to the hearing.
- H. Agreed by PREPA:
  - Mr. Paredes agreed to provide the formula for avoided cost, at Windmar’s request.
  - Mr. Paredes agreed to produce, if available, an EE study conducted about 15 years ago.
  - Mr. Paredes agreed to produce, if available (checking in CEO’s office), workpapers of solar siting studies.
- I. Not-For-Profit Intervenors requested the study on the renewable project sites.

**Wednesday, February 5, 2020**

J. Offered by PREPA:

- Mr. Deliz offered to provide answers in one month on FEMA funding for transmission & distribution damages.
- Mr. Paredes agreed to produce the name of the vendor that provided the unsolicited proposal for gas peakers.
- Dr. Bacalao offered to produce the information on the increased costs to earthquake-proof a CCGT.

**Thursday, February 6, 2020**

K. PREPA failed to answer:

- Mr. Paredes could not recall the amount/number of PREPA's critical load.
- Mr. Baretty had insufficient resources to identify the locations of critical loads.

Friday, February 7, 2020

L. Paredes responded that he did not know the status of the Mayaguez units and the conversion work referenced in the PREPA Governing Board meeting.

M. Sammy Rodríguez testified that he did not know whether a risk analysis for gas conversion at the San Juan plant was done.

In San Juan, Puerto Rico, on this day, February 9, 2020.

Respectfully submitted,

*s/ Pedro Saadé*

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## GENERAL INSTRUCTIONS

1. Responses are to be provided in electronic format (e.g., text documents should be in the original word processor file format or searchable PDF, data files should be in Excel).
2. If you contend that any response to any discovery request may be withheld under the attorney-client privilege, the attorney work product doctrine or any other privilege or basis, please state the following with respect to each such response in order to explain the basis for the claim of privilege and to permit adjudication of the propriety of that claim:
  - a. The privilege asserted and its basis;
  - b. The nature of the information withheld; and,
  - c. The subject matter of the document, except to the extent that you claim it is privileged.
3. For any document or set of documents PREPA objects to providing to on the grounds it is burdensome or voluminous, please identify the specific document.
4. These discovery requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These discovery requests are intended to include requests for information, which is physically within your possession, custody or control as well as in the possession, custody or control of your agents, attorneys, or other third parties from which such documents may be obtained.
5. If any discovery request cannot be responded to or answered in full, answer to the extent possible and specify the reasons for your inability to answer fully.
6. These discovery requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these discovery requests subsequently become known.
7. For each response, identify all persons that were involved in the preparation of the answers to the interrogatories below and/or are responsible for compiling and providing the information contained in each answer.
8. Identify which witness(es) at the hearing(s) is competent to adopt and/or discuss the response.
9. Please produce the requested documents in electronic format to all attorneys of record.
10. Wherever the response to an interrogatory or request consists of a statement that the requested information is already available to Local Environmental Organizations, provide a detailed citation to the document that contains the information. This citation shall include the title of the document, relevant page number(s), and to the extent possible paragraph number(s) and/or chart/table/figure number(s).

11. In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.
12. Local Environmental Organizations reserve the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

**Definitions:** For the purposes of these data requests, the following definitions shall apply:

1. “Document” means all written, recorded or graphic matters, however produced or reproduced, pertaining in any manner to the subject of this proceeding, whether or not now in existence, without limiting the generality of the foregoing, all originals, copies and drafts of all writings, correspondence, telegrams, notes or sound recordings of any type of personal or telephone communication, or of meetings or conferences, minutes of directors or committee meetings, memoranda, inter-office communications, studies, analyses, reports, results of investigations, reviews, contracts, agreements, working papers, statistical records, ledgers, books of account, vouchers, bank checks, x-ray prints, photographs, films, videotapes, invoices, receipts, computer printouts or other products of computers, computer files, stenographer’s notebooks, desk calendars, appointment books, diaries, or other papers or objects similar to any of the foregoing, however denominated. If a document has been prepared in several copies, or additional copies have been made, and the copies are not identical (or which, by reasons of subsequent modification of a copy by the addition of notations, or other modifications, are no longer identical) each non-identical copy is a separate “document.”
2. “And” or “or” shall be construed conjunctively or disjunctively as necessary to make the requests inclusive rather than exclusive.
3. The term “you” and “your” refer to PREPA.
4. The term “person” means any natural person, corporation, corporate division, partnership, limited liability company, other unincorporated association, trust, government agency, or entity.
5. The term “regarding” means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.
6. The singular as used herein shall include the plural and the masculine gender shall include the feminine and the neuter.
7. “Identify” or “identifying” or “identification” when used in reference to a person that is a natural person means to state: the full name of the person and any names under which he conducts business; the current employer of the person, the person’s job title and classification, the present or last known work address of the person; and, the present or last known telephone number of the person.

8. “Identify” or “identifying” or “identification” when used in reference to a person other than a natural person means to state: the full name of the person and any names under which it conducts business; the present or last known address of the person; and, the present or last known telephone number of the person.
9. “Identify” or “identifying” or “identification” when used in reference to a document means to provide with respect to each document requested to be identified by these discovery requests a description of the document that is sufficient for purposes of a request to produce or a subpoena duces tecum, including the following:
  - a. the type of document (e.g., letter, memorandum, etc.);
  - b. the date of the document;
  - c. the title or label of the document;
  - d. the Bates stamp number or other identifier used to number the document for use in litigation;
  - e. the identity of the originator;
  - f. the identity of each person to whom it was sent;
  - g. the identity of each person to whom a copy or copies were sent;
  - h. a summary of the contents of the document;
  - i. the name and last known address of each person who presently has possession, custody or control of the document; and,
  - j. if any such document was, but is no longer, in your possession, custody or control or is no longer in existence, state whether it: (1) is missing or lost; (2) has been destroyed; or (3) has been transferred voluntarily or involuntarily, and if so, state the circumstances surrounding the authorization for each such disposition and the date of such disposition.
10. “Identify” or “identifying” or “identification” when used in reference to communications means to state the date of the communication, whether the communication was written or oral, the identity of all parties and witnesses to the communication, the substance of what was said and/or transpired and, if written, identify the document(s) containing or referring to the communication.
11. “Current” when used in reference to time means in the present time of this data request.
12. “Customer” means a person who buys retail electricity on a regular and ongoing basis.
13. “Workpapers” are defined as original, electronic, unlocked, Excel format (where possible) with formulas in-tact.

## Partial Glossary of Acronyms Used in Data Requests

- “CC” means combined cycle
- “CCGT” means combined cycle gas turbine
- “C&I” means Commercial and Industrial
- “DRNA” means the Puerto Rico Department of Natural and Environmental Resources
- “DSM” means Demand Side Management
- “EE” means Energy Efficiency
- “EM&V” or “EMV” means Evaluation, Measurement, and Verification
- “EQB” means the Puerto Rico Environmental Quality Board
- “FERC” means Federal Energy Regulatory Commission
- “GWh” means gigawatt-hour
- “IRP” means Integrated Resource Plan
- “LRAM” means Lost Revenue Adjustment Mechanism
- “MW” means megawatt
- “MWh” means megawatt-hours
- “NPV” means net present value
- “Protected account” means an account protected from service disconnection.
- “RFP” means request for proposal
- “S&P” means Standard & Poor’s 500

## CERTIFICATION OF SERVICE

I hereby certify that on February 9<sup>th</sup>, I have sent this Request of Information to the Energy Bureau, PREPA and intervenors as follows:

Energy Bureau:

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PREPA:

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- League of Cooperatives of Puerto Rico and AMANESER 2025 (info@liga.coop, amaneser2020@gmail.com)
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