

**Environmental Law, Energy & Land Use Practice Group**

July 12, 2019

**NOTICE TO CLIENTS AND FRIENDS**  
**PR Development: Revised PREPA Integrated Resource Plan**

On July 3, 2019, the Puerto Rico Energy Bureau (the “Bureau”) published a Resolution and Order (the “Order”) stating that the Revised Integrated Resource Plan (“IRP”) filed by the Puerto Rico Electric Power Authority (“PREPA”) complies with the requirements under the PREPA IRP Regulation<sup>1</sup> (the “Regulation”); thus, enabling the formal evaluation process of the IRP. The Order states that any party interested in participating in the formal IRP evolution process may file a petition to intervene or a petition to appear as *Amicus Curiae* **on or before August 2, 2019**. Such party must demonstrate substantive interest in the proceeding and comply with the provisions of Sections 5.05 and 7.01 of Regulation No. 8543. Please note that Section 7.01 *Amicus Curiae* Briefs can be filed **on or before September 20, 2019**.

The Order further states that the Discovery Period will begin on **July 3, 2019** and will end on **October 1, 2019**. Intervenors may issue discovery requests, pursuant to the Bureau’s Adjudicative, Notice of Noncompliance, Rate Review and Investigation Procedures Regulation<sup>2</sup>. PREPA will have a period of ten (10) days to provide answers to the requests, which shall be notified via email. All emails sent to the Bureau shall be sent to all three of the following addresses: [secretaria@energia.pr.gov](mailto:secretaria@energia.pr.gov), [legal@energia.pr.gov](mailto:legal@energia.pr.gov), and [viacaron@energia.pr.gov](mailto:viacaron@energia.pr.gov).

The Bureau will hold an Initial Technical Hearing on **August 13, 2019, at 3:00 pm**. During said hearing, PREPA is expected to present the Revised IRP Filing to both the Bureau and any participating intervenor. Intervenors have until **October 15, 2019** to submit their written testimonies, stating their position towards PREPA’s Revised IRP Filing. The testimonies must be drafted in question and answer format, and all persons appearing as witnesses must be clearly identified with proper credentials. Afterwards, the Bureau will hold an Evidentiary Hearing, which is currently scheduled for **October 22-25, 2019**. Final substantive and legal briefs (the “Final Briefs”) must be filed **on or before November 12, 2019**. The Final Briefs shall be limited to the information presented during the discovery period and the evidentiary hearings. PREPA shall respond to the Final Briefs **on or before November 26, 2019**.

The Bureau will hold a public hearing on **November 26, 2019**, during which the public will have an opportunity to share their comments on the IRP filing. This public hearing is not open to intervenors, organizations or their respective legal representation. Any written public comments regarding the IRP filing must be submitted **on or before December 3, 2019**. All comments shall be filed electronically via <https://radicacion.energia.pr.gov/>, by mail to the Bureau’s Clerk’s Office, or in person in the Bureau’s Clerk’s Office.

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This document has been prepared for information purposes only and is not intended as, and should not be relied upon as legal advice. Should you have any questions about the matters hereby discussed, wish to obtain more information on their potential impacts on policy or operational matters, or need assistance to participate in the commenting process, please feel free to contact us at your convenience.

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<sup>1</sup> Regulation No. 9021 of April 28, 2018.

<sup>2</sup> Regulation No. 8543, December 18, 2014.