

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

IN RE: PRIORITY PLAN FOR ELECTRIC
GRID STABILIZATION

CASE NO.: NEPR-MI-2024-0005

SUBJECT: Order Requiring Updated
Priority Stabilization Plan Status Report
and Definitive Completion Schedule

RESOLUTION AND ORDER

I. Relevant Background

On March 28, 2025, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order in this proceeding ("March 28 Resolution") establishing the Electric System Priority Stabilization Plan (the "Priority Stabilization Plan" or "PSP"). The PSP established a two-year framework of priority activities to be implemented by LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, "LUMA"), Genera PR LLC ("Genera"), and the Puerto Rico Electric Power Authority ("PREPA") to improve the reliability and resilience of Puerto Rico's electric system. The March 28 Resolution also required LUMA, Genera, and PREPA to provide monthly status reports on the PSP activities, to be filed by LUMA as a collaborative report beginning April 27, 2025.

On July 28, 2026, LUMA filed the July 2026 Monthly Collaborative Report ("July Report"). The July Report reflects material progress in several areas but also demonstrates that a substantial number of PSP activities remain incomplete, dependent upon other projects, subject to procurement or regulatory approvals, or without firm completion dates. The July Report states that all fifty-one (51) Phase 2 transmission-line inspections have been completed and that thirteen (13) transmission hardening projects have been energized or completed, while additional hardening work remains scheduled or unfunded; three Standard Offer 1 battery energy storage agreements under the ASAP program have been executed, while seven remain at various pre-execution stages; and several protection, automation, control, RTU, substation, and transmission initiatives remain under design, procurement, construction, or implementation.

The July Report further reflects significant interdependencies among major generation and storage initiatives. Genera reports that deployment of 244 MW of flexible generation remains dependent on decommissioning existing units and completion of BESS interconnections, and states that the 800 MW of temporary emergency generation needed to offset decommissioning "remains pending procurement by 3PPO." In the same Collaborative Report, however, PREPA states that the Federal Oversight and Management Board for Puerto Rico conditionally approved contracts for Power Expectations and Gotham on May 8, 2026, that the Power Expectations contract was signed on June 10, 2026, that Gotham remained under FOMB review, and that Javelin Global Commodities US Holdings, Inc. remained under Third-Party Procurement Office review. These descriptions must be reconciled so the Energy Bureau has a single, current account of the amount of emergency generation actually under contract, the approvals and conditions that remain outstanding, and the dates on which the resource is expected to become available to the system.

The four 25 MW BESS projects on the LUMA 38 kV system, which had remained inactive in the FEMA Grants Portal from August 2025 until their reactivation on July 15, 2026, still list procurement, construction start, and commissioning as "TBD." Genera's 430 MW utility-scale BESS program continues construction and interconnection work across multiple sites, while the flexible generation program remains tied to BESS and decommissioning milestones. Under these circumstances, the Energy Bureau requires a consolidated and



definite critical-path schedule for the remaining PSP work, rather than separate project descriptions that cannot readily be reconciled into a system-wide implementation timeline.

The need for a definite schedule is significant under current system conditions. Recent public reports describe repeated generation shortfalls and load-shedding events during July 2026. On July 17, 2026, the loss of Costa Sur Unit 6 contributed to a second load-shedding event that affected over 177,000 customers at its peak. On July 21, 2026, the abrupt loss of San Juan Unit 6 resulted in additional load shedding affecting over 125,000 customers. On July 28, 2026, simultaneous generation problems at EcoEléctrica and Aguirre Unit 2 caused load shedding that, at its peak, affected over 377,000 customers. These events underscore the continuing fragility of generation supply and the public interest in timely implementation of the stabilization measures approved in this proceeding.¹

II. Discussion

Act 57-2014² grants the Energy Bureau broad authority to supervise and enforce Puerto Rico's energy public policy and to adopt the regulatory actions necessary to ensure the capacity, reliability, safety, and efficiency of the electric system, including the authority necessary to monitor the implementation and progress of the stabilization measures approved in this proceeding. Article 6.3 authorizes the Energy Bureau to require and collect information for the proper performance of its duties, to require certified electric service companies to maintain and submit records, data, documents, and plans, and to issue orders and fashion remedies to carry out the purposes of the statute.

In addition, Article 6.22(a)(8) of Act 57-2014 requires electric service companies and the transmission and distribution contractor to submit any information, data, document, or specific report that the Energy Bureau deems necessary to exercise its functions. Article 6.24 further authorizes the Energy Bureau to require the production of records, documents, information, and data needed to fulfill its statutory responsibilities. Article 6.36(a) authorizes the Energy Bureau, after compliance with applicable procedural requirements, to impose administrative fines for violations of Act 57-2014, the Energy Bureau's regulations, or its lawful orders, subject to the statutory limitations set forth.

The Collaborative Reports filed in this proceeding contain substantial technical and implementation information. Nevertheless, the record is now sufficiently mature that narrative reporting alone is no longer adequate. The PSP was adopted as an integrated stabilization program, yet several key activities remain governed by separate schedules, external approvals, funding constraints, or dependencies on other projects. In addition, the July Report contains at least one material tension regarding the status of the 800 MW temporary emergency generation procurement, while multiple activities continue to use "TBD," "under review," "pending," or comparable terminology for principal milestones. Without a consolidated critical-path schedule, the Energy Bureau cannot readily determine whether the remaining PSP portfolio is on track, which dependencies control the completion dates, or what corrective actions are being taken when approved or previously reported milestones are missed.

The Energy Bureau finds it necessary to require LUMA, Genera, and PREPA to provide a comprehensive, current, and coordinated status report establishing the precise work that remains for each incomplete PSP activity, the entity responsible for each pending item, the critical dependencies, and definite target dates for completion. To the extent the entities disagree about responsibility for any activity, dependency, delay, or schedule impact, the

¹ Publicly reported outage information referenced above: El Nuevo Día, July 17, 2026 (Costa Sur Unit 6 load shedding); El Nuevo Día, July 21, 2026 (San Juan Unit 6 load shedding); El Nuevo Día, July 29, 2026 (EcoEléctrica/Aguirre load shedding).

² Puerto Rico Energy Transformation and RELIEF Act, as amended ("Act 57-2014").

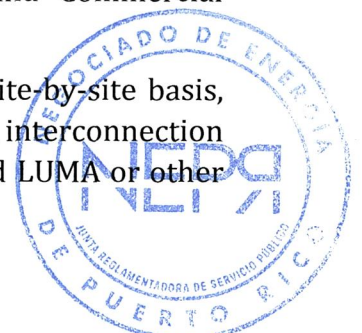


joint filing shall state each entity's position with specificity and identify the technical, contractual, regulatory, funding, or other basis for that position.

III. Order

WHEREFORE, the Energy Bureau hereby **ORDERS** as follows:

1. Within fifteen (15) calendar days from the notification of this Resolution and Order, LUMA, Genera, and PREPA SHALL FILE a joint verified Priority Stabilization Plan Status and Critical-Path Report. If the entities are unable to agree on any portion of the report, the joint filing shall identify each disputed matter and separately state each entity's position.
 - a) For every PSP activity that is not fully complete, the joint report SHALL provide, in a single consolidated table, at minimum: (i) the activity and responsible entity; (ii) the original milestone or completion date established in the PSP or subsequently reported to the Energy Bureau; (iii) the current percentage or measurable level of completion; (iv) every remaining material action, approval, procurement, design, construction, testing, commissioning, funding, permitting, interconnection, land, or regulatory prerequisite; (v) the party or entity responsible for each prerequisite; (vi) the current status; (vii) a firm target date for completion; (viii) any variance from the prior schedule and the reason for the variance; (ix) the corrective action being taken; and (x) whether any Energy Bureau action is required.
 - b) The joint report SHALL include a system-wide critical-path schedule identifying the dependencies among the remaining PSP activities and establishing firm target dates for completion of each critical activity. The entities SHALL NOT use "TBD," "under review," "pending," "in progress," or substantially similar indefinite terminology for a principal milestone unless the filing also identifies the specific unresolved dependency, the responsible entity, the date on which the dependency arose, the action necessary to resolve it, and a date certain by which the dependency is expected to be resolved.
 - c) The joint report SHALL specifically address the following high-priority matters:
 - i. The 800 MW temporary emergency base generation procurement, including the exact MW subject to an executed contract; the status of Power Expectations, Gotham, Javelin, and any other remaining proponent; every outstanding FOMB, P3A, PREPA, 3PPO, permitting, fuel, interconnection, financing, notice-to-proceed, mobilization, or other condition; and the firm date on which each contracted block of capacity is expected to be available to the system. The report SHALL reconcile Genera's statement that the 800 MW remains pending procurement with PREPA's statement that the Power Expectations contract was signed on June 10, 2026.
 - ii. The 244 MW flexible generation program, on a site-by-site basis, including Costa Sur, Jobos, Yabucoa, and Dagua; the status of demolition and decommissioning; Facility Studies and point-of-interconnection work; EPC and other procurements; land-transfer requirements; the BESS and replacement-capacity dependencies; and firm target dates for construction, energization, and Commercial Operation.
 - iii. Genera's 430 MW utility-scale BESS program, on a site-by-site basis, including current construction percentage, design and interconnection status, material equipment delivery dates, unresolved LUMA or other



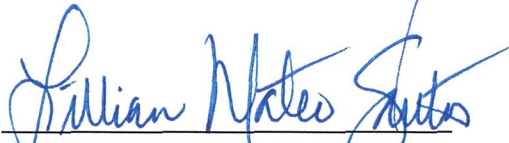
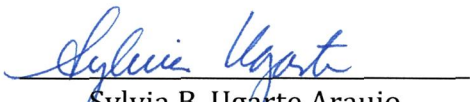
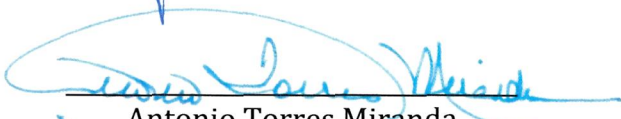
interconnection dependencies, and anticipated energization and Commercial Operation dates.

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- iv. The ASAP Standard Offer 1 BESS program, identifying the status of each of the ten (10) agreements representing 594.4 MW, including contract execution, signing conditions, LGIA status, system impact study status, financing or regulatory conditions, and the projected Commercial Operation Date for each resource.
 - v. The four 25 MW BESS projects on the LUMA 38 kV system, including the effect of the July 15, 2026 FEMA reactivation; the current Section 406 Hazard Mitigation review; land acquisition and funding strategy; procurement; detailed design; construction start; commissioning; and firm milestone dates replacing the present "TBD" entries.
 - vi. The remaining short-term generation repairs and critical-component work affecting available capacity at Aguirre, San Juan, Costa Sur, Palo Seco, and any other unit included in the PSP, including current available MW, any operating limitation, the specific repair or component dependency, and the firm expected return-to-service or full-capability date. The critical component replacement program report should also include the expected receipt date.
 - vii. The remaining transmission hardening, protection and control, RTU replacement, substation rehabilitation, and other transmission activities under the PSP, including the projects that are unfunded, reactivated, delayed, or dependent upon FEMA, DOE, non-federal capital, equipment procurement, or system outage availability. The Grid protection program should provide the Work-Order Packages field Implementation dates.
 - viii. The Comprehensive Transmission Plan should provide an implementation timeline with priority and dates.
2. Beginning with the next Monthly Collaborative Report, LUMA, Genera, and PREPA SHALL incorporate the milestone and critical-path information established in response to this Resolution and Order and shall specifically identify any variance from the reported schedule, the reason for the variance, the responsible entity, the corrective action being taken, and any resulting change to the applicable completion date.
 3. All prior reporting and implementation obligations imposed in this proceeding SHALL REMAIN IN FULL FORCE AND EFFECT except to the extent clarified or modified herein.

LUMA, Genera, and PREPA are hereby **WARNED** that failure to timely or fully comply with this Resolution and Order may subject the noncomplying person or entity to administrative penalties of up to Twenty-Five Thousand Dollars (\$25,000) per day pursuant to Article 6.36 of Act 57-2014, as amended, and to any other remedy available to the Energy Bureau under applicable law.

Be it notified and published




Edison Avilés Deliz
Chairman
Lillian Mateo Santos
Associate Commissioner
Ferdinand A. Ramos Soegaard
Associate Commissioner
Sylvia B. Ugarte Araujo
Associate Commissioner
Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on August 11, 2026. I also certify that on August 12, 2026. I proceeded with filing the Resolution and a copy was notified by electronic mail to alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net; 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, on August 12, 2026.


Sonia Seda Gaztambide
Clerk