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ENERGY ALERT

Public Participation in the Review Process of the Puerto Rico Electric Power Authority's Integrated Resource Plan

On July 7, 2015, the Puerto Rico Electric Power Authority ("PREPA") filed before the Puerto Rico Energy Commission ("Commission") its first Integrated Resource Plan ("IRP"). Pursuant to Act 57-2014, as amended, known as the Energy Transformation and Relief Act ("Act 57-2014"), PREPA is required to prepare an IRP setting a long-term (20 year) strategy for meeting energy demands in Puerto Rico based on current and attainable technologies and infrastructure, combined with energy conservation and diversification efforts.

The IRP is required to include performance parameters such as revenues per kilowatt-hour; operational and maintenance costs per kilowatt-hour; operational and maintenance costs of the distribution system per client; costs in client service per client; general and administrative costs per client; energy sustainability; emissions; and total yearly use of energy in Puerto Rico, among others. Any PREPA business or reorganization plan must be consistent with the IRP. A copy of the IRP is available [here](#).

Act 57-2014 requires the Commission to evaluate, approve and oversee the IRP in order to guarantee an orderly and integrated development of Puerto Rico's electrical system, ensuring its reliability, efficiency and transparency as well as the provision of services at reasonable rates. In accordance with this mandate, the Commission approved the Regulation on Integrated Resource Plan for the Puerto Rico Electric Power Authority, Regulation No. 8594 of May 22, 2015, ("IRP Regulation") which established the procedures for the preparation, presentation, evaluation and approval of PREPA's IRP. The IRP must be revised every three years.

Based on the foregoing, the Commission issued a Policy Statement on July 22, 2015, to ensure that all interested persons and groups have access to the necessary information and have an opportunity to make their contributions to the IRP assessment process in order for the Commission to make a fully informed determination. Subject to the Commission's approval, an interested person may participate in the Commission's IRP evaluation as an intervening party or as *amicus curiae*.

To participate as intervening party, any person having a legitimate interest in the IRP proceeding may file a written *petition to intervene*, before the Commission, on or before **September 1, 2015**. The petition shall address petitioner's interest in the proceeding; probable relation to the merits of the case; whether the intervention will contribute to the resolution of case; and whether the intervention will unduly prolong or delay the proceeding. The Commission may require additional information to issue its determination with regard to the petition to intervene.

To participate as an *amicus curiae*, any person may present a petition before the Commission on or before **October 26, 2015**. The petition shall be accompanied by a brief that addresses the petitioner's

interest in the IRP evaluation and approval proceeding; reasons for which its participation is justified; its contributions to assist the Commission to properly evaluate and approve the IRP; and its arguments on the IRP procedure, among others.

If you have any questions or comments or wish additional information regarding this matter, please contact any of the attorneys listed below, members of our Environmental, Energy & Land Use Practice Group:

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