

February 5, 2025

**To: Puerto Rico Public-Private Partnership Authority ("P3A")**

Attention: Josué E. Colón Ortiz

Roberto Sánchez Vilella (Minillas) Government Center

De Diego Ave. Stop 22,

San Juan, PR 00907

Dear Executive Director Colón:

Since taking over as the system operator in June 2021, LUMA has worked nonstop to address the litany of operational, financial and management failures under PREPA. Unlike PREPA's history of poor data and poor record-keeping, LUMA is committed to acting with transparency, having been responsive to requests from multiple oversight agencies and legislative bodies since 2021, and has consistently stated facts with respect to the record and the negative effects PREPA's legacy continues to have on the people of Puerto Rico. Unlike PREPA, LUMA has been subject to greater oversight than any other utility in United States, and embraces the importance of operating in an ethical and straightforward manner based on a record of facts. Since LUMA's start of operations, there is now more information made public about the state of the system than ever, as well as a web portal with information including time, date and location of planned outages and related outages, a testament to LUMA's commitment with transparency.

In this letter we respond to your letter dated January 26, 2025 ("January 26<sup>th</sup> Letter"), in which you falsely allege LUMA has failed to cooperate with audit requests made by the Office of the Comptroller of Puerto Rico ("OCPR"). The issues raised in your letter relate primarily to OCPR Audit 3075-15592, which covers the fiscal operations of the Puerto Rico Electric Power Authority ("PREPA") from June 1, 2018, to June 30, 2021. During 35 of the 36-month period covered by the audit, the transmission and distribution system was under the responsibility of PREPA.

First, LUMA unequivocally denies any direct or indirect allegations of LUMA's non-compliance, either with regards to the OCPR's requests or with any responsibility, obligation or duty under the T&D OMA.

Second, LUMA notes that the January 26<sup>th</sup> Letter fails to acknowledge that LUMA has addressed and responded to all requests made by OCPR to LUMA and all requests made by PREPA to LUMA in connection with an OCPR audit, including requests made in connection with OCPR Audit 3075-15592. Accordingly, as of the date of this letter, there are no outstanding OCPR requests addressed to LUMA nor any PREPA requests to LUMA in connection with an OCPR audit. All requests referenced in your letter had been resolved by LUMA prior to the January 26<sup>th</sup> Letter. Throughout the course of OCPR Audit 3075-15592, OCPR issued at least 36 Requests for Information ("RFI") that have required some involvement from LUMA. Of those, 33 were addressed on or before the original or revised due date approved by OCPR. See Appendix A to



A handwritten signature in blue ink, appearing to be a stylized "J" or "C" followed by a flourish.

this letter. Progress on this and any other OCPR audits is detailed in LUMA's Monthly Report ("MOR") sent monthly to PREPA and the P3A.

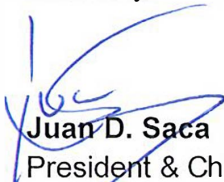
Your letter also highlights 16 specific events which, taken out of context, falsely create the appearance that LUMA has failed to cooperate with the OCPR, and needlessly serves to undermine the hard work of LUMA's over 4,000 workers. These events were resolved and did not impede at all OCPR's ability to conduct its audit.

The RFIs for which LUMA has been responsible for account for less than 20% of the total number of RFIs issued by the OCPR in connection with OCPR Audit 3075-15592. Therefore, and in light of the pattern of diligence with which LUMA has addressed OCPR's requests, any suggestion that delays in OCPR Audit 3075-15592 are in any way attributable to LUMA are blatantly false and factually incorrect. We request that you refrain from future unsubstantiated accusations. Moreover, given the above response, we find your request for a corrective action plan unnecessary. We also note that the January 26<sup>th</sup> Letter includes four attachments unrelated and irrelevant to OCPR Audit 3075-15592. We assume such documents were included in the January 26<sup>th</sup> Letter inadvertently and with no intent of supporting incorrect allegations against LUMA regarding OCPR Audit 3075-15592. We reserve the right to respond to any allegation stemming from such letters.

For the sake of the better energy future the people of Puerto Rico expect and deserve, we urge you to immediately cease actions and behavior that threaten the progress LUMA is making, and risks returning Puerto Rico's back to PREPA's failed past.

Please contact us should you have any further concerns.

Sincerely,

  
**Juan D. Saca**

President & Chief Executive Officer



**Appendix A**

OCPR RIF Number	Response On Time	Days Beyond Deadline	Comments
Initial RIFs from 12/21/2021	No	11	Request pertaining to various contracts.
Initial RIFs from 12/21/2021	No	17	Request pertaining to various purchase orders.
SII-3075-15592-05	Yes	0	*Request pertaining to LUMA employee and department information.
SII-3075-15592-29	Yes	0	*Request pertaining to Contract Management, Purchasing Management, and Accounts Payable modules of the Asset Suite system.
SII-3075-15592-29	Yes	0	*Additional request pertaining to additional Contract Management, Purchasing Management, and Accounts Payable modules of the Asset Suite system.
SII-3075-15592-42	Yes	0	Request pertaining to the payment process related to PREPA under the Shared Services Agreement.
SII-3075-15592-45	Yes	0	Request pertaining to the payment process related to PREPA under the Shared Services Agreement.
SII-3075-15592-52	Yes	0	Request pertaining to valid pay group reports and pay groups.
SII-3075-15592-57	Yes	0	Request pertaining to bank statements.
SII-3075-15592-68	Yes	0	*Request pertaining to inventories of the personal property, personal property acquired by LUMA, PREPA real property under the custody of LUMA.
SII-3075-15592-69	Yes	0	*Request pertaining to security practices.
SII-3075-15592-69	Yes	0	Additional request pertaining to security practices.
SII-3075-15592-71	Yes	0	*Request pertaining to contracts and purchase orders.
SII-3075-15592-71	Yes	0	Request pertaining to contracts and purchase orders.
SII-3075-15592-75	No	14	Request pertaining to passthrough expenditures. The original due date was August 23, 2023, but the



			request came to LUMA through ServiceNow on September 1, 2023. LUMA responded on September 6, 2023.
SII-3075-15592-87	Yes	0	Request pertaining to bank accounts.
SII-3075-15592-92	Yes	0	Request pertaining to disbursements.
SII-3075-15592-94	Yes	0	Request pertaining to personnel of the Energy Control Center and personnel of PREPA's generation fleet and energy production.
SII-3075-15592-95	Yes	0	Request pertaining to disbursements.
SII-3075-15592-100	Yes	0	*Request pertaining to operational procedures applicable to the areas of Energy Management and the Transmission Operations Center, and Form DOE-417.
SII-3075-15592-101	Yes	0	*Request pertaining to the position of director of Energy Management and Transmission Operations Center, shift engineers in the digital log, records of the physical logbook, and various generation reports.
SII-3075-15592-103	Yes	0	*Request pertaining to scheduled, coordinated, and forced outages.
SII-3075-15592-103	Yes	0	Request pertaining to scheduled, coordinated, and forced outages.
SII-3075-15592-107	Yes	0	Request pertaining to procedure for scheduling Planned T&G Outages, and procedure for Load Shedding
SII-3075-15592-108	Yes	0	Request pertaining to the Daily Availability Report.
SII-3075-15592-109	Yes	0	Request pertaining to the System Operation Principles.
SII-3075-15592-111	Yes	0	Request pertaining to Unit Outage Reports.
SII-3075-15592-112	Yes	0	Request pertaining to OCPR's audits, LUMA's directives, security and access protocols, and an interview. LUMA also responded to OCPR's letter.
SII-3075-15592-114	Yes	0	Request pertaining to Outputs of General Units, and Daily Report of Gas Units.
SII-3075-15592-131	Yes	0	*Request pertaining to Daily Report on Outages and Limitations of Generating Units and the Daily Report on Gas Units.
SII-3075-15592-137	Yes	0	Request pertaining to scheduled, coordinated, and forced outages on May 24, 2022.



SII-3075-15592-138	Yes	0	Request pertaining to personnel privy to and involved in producing the Daily Outages and Limitations Report for Generating Units and Daily Gas Units Reports.
SII-3075-15592-139	Yes	0	Request pertaining to records made by TOC personnel in logs on May 24, 2022.
SII-3075-15592-140	Yes	0	*Request pertaining to Root Cause Analysis for forced outages.
SII-3075-15592-147	Yes	0	Request pertaining to customers impacted by forced outages.
SII-3075-15592-149	Yes	0	*Request pertaining to Planned Outages, Maintenance Outages, and Forced Outages.

*\*Requests where an extension was requested and approved*