

September 28, 2024

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

Attention: Fermín E. Fontanes, Esq.

Executive Director

Roberto Sanchez Vilella (Minillas) Government Center

De Diego Ave. Stop 22,

San Juan, PR 00907

**To: Genera PR LLC ("Genera")**

Attention: Brannen McElmurray, Chief Executive Officer, and

Maria Sanchez Bras, Chief Financial Officer

954 Ponce de Leon Ave, Suite 400

San Juan, PR 00907

**RE: Termination of Shared Services by September 30, 2024**

LUMA is informing P3A that it received the attached letter from Genera on September 27, 2024 ("Genera September 27<sup>th</sup> Letter"). For context, on August 30, 2024, Genera sent a letter outlining several Shared Services initiatives it has completed or were still in progress, as of August 30, 2024. Genera's August 30<sup>th</sup> letter never specified what sections of the Amended and Restated Shared Services Agreement ("Genera A&R SSA")<sup>1</sup> would be reduced, terminated or extended by September 30, 2024. On September 16, 2024, LUMA responded to Genera (LUMA-GENCO-T-00134) and communicated its understanding of the Services that would be reduced, terminated, or extended after September 30, 2024, based on Genera's August 30, 2024. LUMA requested Genera provide formal written confirmation, pursuant to Article III of the A&R SSA.

The Genera September 27<sup>th</sup> Letter does not comply with the Genera A&R SSA requirements and does not formally request an extension or provide any specific termination dates. As a result, LUMA is now asking P3A to take action as party to the Genera A&R SSA, Administrator of the Puerto Rico Transmission and Distribution Operation and Maintenance Agreement ("T&D OMA")<sup>2</sup> and Administrator of the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement dated January 24, 2023, and require Genera to formally notify LUMA of the services that will need to be reduced, terminated, or extended after September 30, 2024.

In absence of any specific details, LUMA will facilitate the extension of Shared Services that are expected to continue past September 30, 2024. LUMA is providing the attached Amendment to the Genera A&R SSA, including a revised Exhibit A. It is critical that the parties agree on a concrete work plan and timetable to expeditiously and responsibly end the Shared Services currently being

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<sup>1</sup> The Shared Service Agreement ("SSA"), executed on May 28, 2021, as amended and restated entered on January 1, 2024, by and among the Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnerships Authority ("P3A"), Genera PR, LLC ("Genera"), and LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, "LUMA").

<sup>2</sup> The Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement ("T&D OMA") executed on June 22, 2020, amongst the Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnerships Authority ("P3A") and LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, "LUMA")



delivered to Genera. We are asking Genera to review and sign this Amendment no later than **Monday September 30, 2024.**

Sincerely,



**Mario Hurtado**

Chief Regulatory Officer

C: Maria Sanchez Bras, Finance Director, Genera, [maria.sanchez@genera-pr.com](mailto:maria.sanchez@genera-pr.com)  
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