

**IN RE: AMENDMENTS TO REGULATION
ON CERTIFICATION, ANNUAL FEES, AND
OPERATIONAL PLANS FOR ELECTRIC
POWER COMPANIES IN PUERTO RICO**

No: CEPR-MI-2015-0006

WINDMAR COMMENTS

PVP Properties, Inc., Coto Laurel Solar Farm, Inc., Windmar PV Energy, Inc., and Windmar Renewable Energy, Inc. (jointly, "WindMar"), through the undersigned legal counsel provide the following comments concerning Regulation on Certification, Annual Fees, and Operational Plans for Electric Power Companies in Puerto Rico (hereinafter, "Regulation 8618" or "Regulation");

On September 4, 2015 the Puerto Rico Energy Commission ("Commission") emitted an Order stating its interest in promoting wider participation and providing an opportunity for entities like WindMar to share their views regarding Regulation 8618 and its potential effects on their business. Furthermore, the Commission stated its expectation for the requested comments to provide "a better understanding of the concerns of the energy Sector in Puerto Rico" and for them to help "align those concerns with the public interest, the public policy and the provisions of Act 57-2014".

WindMar appreciates the Commission's position in regard to allowing the solar industry and all interested parties to comment Regulation 8618. WindMar has some concerns with its application and the extent of its requirements.

WindMar is a group of entities dedicated to the development, installation, production and selling of renewable energy in Puerto Rico. Therefore, at least some of its entities, are considered Electric Power Companies and/or Electric Power Generation Companies, as defined by Regulation 8618. As such, these entities are subject to complying with the Regulation's requirements and fees.

One of WindMar's entities is dedicated to installing solar facilities and acts as a contractor while some of its other entities act as system owners and sell renewable energy to their clients. This raises their first concern; WindMar should be certified and pay fees as a group and not per entity. Otherwise, the Commission would be requiring multiple Certifications, Fees and Operational Plans from the same group. Furthermore, Annual Fees and Certification costs would be charged on the same installed capacity twice; once for the contractor entity and a second time to the entity owning the solar system.

Regulation 8618 requires Electric Companies to provide financial and operational information. The Commission provided various questions in the Appendix to the abovementioned Order. Several of the questions pursue answers clarifying what specific information can be provided by the regulated parties to fulfill the Regulations requirements. Since the Solar Industry is relatively young, its companies are not as large as other energy-related entities. Despite current growth, these companies lack the economic and human resources of most of the other regulated parties. Therefore, WindMar requests the Commission to recognize the operational and economical limits of the Solar Industry companies when establishing the extent of their compliance to the established requirements. The requirements should not represent a burden to the industry. Concisely stated, the Solar Industry does not have the same response capability as PREPA or similar entities. This should be acknowledged by the Commission when evaluating the Solar Industries compliance.

Respectfully submitted, this 25th day of September, 2015.

Por: 

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