



Government of Puerto Rico
Puerto Rico Electric Power Authority

May 11, 2021

VIA EMAIL

jditto@publicpower.org

Miss Joy Ditto
President & CEO
American Public Power Association (APPA)
2451 Crystal Drive, Suite 1000
Arlington, VA 22202-4804

Dear miss Ditto:

Re: APPA – PREPA Membership

For the Puerto Rico Electric Power Authority, (PREPA), it has been an honor and a privilege to be a member of American Public Power Association (APPA) during decades. We have had the great opportunity to share professional experiences and hope to share many more.

For PREPA and the people of Puerto Rico, the help provided by the APPA in the wake of Hurricane María, through the Mutual Aid Agreement (MAA) that has been in effect since the year 2000, was priceless. The 2021 Hurricane Season begins on June 1st and PREPA continues to count on the APPA's help in case another emergency occurs.

This year, LUMA Energy will be responsible for the operation and maintenance of the transmission and distribution system, yet PREPA, as **owner** of all of the Puerto Rico Electrical System's assets and infrastructure, continues to count on the mutual aid of the companies that comprise the APPA.

This is why we would like to know who should request the APPA's assistance in case of an emergency. Should it be PREPA, as owner of the infrastructure or LUMA Energy, as PREPA's agent?

We will greatly appreciate your guidance regarding this matter.

Cordially,

Efran Paredes Maisonet
Executive Director

Executive Director
G.P.O. Box 364267
San Juan, Puerto Rico 00936-4267

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📠 787.521.4665





Powering Strong Communities

May 14, 2021

Mr. Efran Paredes Maisonet
Executive Director
Puerto Rico Electric Power Authority
PO Box 364267
San Juan, PR 00936-4267

Dear Efran,

Thank you for your letter and complimentary words about PREPA's APPA membership. We appreciate your longstanding support and your many contributions to the public power community. We look forward to continuing to work with you and your team under the new LUMA management agreement.

As you are probably aware, LUMA recently joined APPA as a private energy associate member. Through this membership, LUMA employees can access many APPA resources, but as an associate member, there are limitations to their level of access to these benefits.

We welcome PREPA's continued involvement in our Mutual Aid Working Group. Based on policies developed by public power utility members, APPA's mutual aid program does not allow private entities, even those under a management agreement, to participate in the APPA Mutual Aid Working Group. PREPA, as the APPA public power utility member, owner of the infrastructure, and the entity of the Government of Puerto Rico, needs to make official mutual aid requests to APPA.

We recommend that you develop a process for LUMA to initiate mutual aid requests with PREPA. Upon receiving your request, APPA will distribute it to member utilities, and when they express interest in helping, we will establish a pre-deployment coordination call with LUMA and PREPA.

Please contact me if you want to discuss the recommended mutual aid process or how your team can access APPA member benefits. Thank you again for your continued support. I look forward to working with you.

Sincerely,

Joy Ditto
President & CEO

MUTUAL AID AGREEMENT

In consideration of the mutual commitments given herein, each of the Signatories to this Mutual Aid Agreement agrees to render aid to any of the other Signatories as follows:

- 1.) Request for aid. The Requesting Signatory agrees to make its request in writing to the Aiding Signatory within a reasonable time after aid is needed and with reasonable specificity. The Requesting Signatory agrees to compensate the Aiding Signatory as specified in this Agreement and in other agreements that may be in effect between the Requesting and Aiding Signatories.
- 2.) Discretionary rendering of aid. Rendering of aid is entirely at the discretion of the Aiding Signatory. The agreement to render aid is expressly not contingent upon a declaration of a major disaster or emergency by the federal government or upon receiving federal funds.
- 3.) Invoice to the Requesting Signatory. Within 90 days of the return to the home work station of all labor and equipment of the Aiding Signatory, the Aiding Signatory shall submit to the Requesting Signatory an invoice of all charges related to the aid provided pursuant to this Agreement. The invoice shall contain only charges related to the aid provided pursuant to this Agreement.
- 4.) Charges to the Requesting Signatory. Charges to the Requesting Signatory from the Aiding Signatory shall be as follows:
 - a.) Labor force. Charges for labor force shall be in accordance with the Aiding Signatory's standard practices.
 - b.) Equipment. Charges for equipment, such as bucket trucks, digger derricks, and other special equipment used by the Aiding Signatory, shall be at the reasonable and customary rates for such equipment in the Aiding Signatory's location.
 - c.) Transportation. The Aiding Signatory shall transport needed personnel and equipment by reasonable and customary means and shall charge reasonable and customary rates for such transportation.
 - d.) Meals, lodging and other related expenses. Charges for meals, lodging and other expenses related to the provision of aid pursuant to this Agreement shall be the reasonable and actual costs incurred by the Aiding Signatory.
- 5.) Counterparts. The Signatories may execute this Mutual Aid Agreement in one or more counterparts, with each counterpart being deemed an original Agreement, but with all counterparts being considered one Agreement.
- 6.) Execution. Each party hereto has read, agreed to and executed this Mutual Aid Agreement on the date indicated.

Date February 14, 2022

Entity Puerto Rico Electric Power Authority (name/ state)

By Josué A. Colón-Ortiz (please print)

Title Executive Director

Please send signed agreement to:

American Public Power Association

ATTN: APPA Mutual Aid Team

2451 Crystal Drive, Suite 1000 | Arlington, VA 22202-4804

E-mail: MutualAid@publicpower.org | Fax: (202) 467-2900

Questions about this agreement should be directed to APPA's Technical and Operations Services department at MutualAid@publicpower.org or 202/467-2900.