

**GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO**

Administrative Bulletin Number: OE-2025-016

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. JENNIFFER A. GONZÁLEZ COLÓN, TO MODIFY AND EXPAND THE STATE OF ENERGY EMERGENCY IN PUERTO RICO, ALIGN PRIORITIES WITH THE NATIONAL STATE OF ENERGY EMERGENCY AND AUTHORIZE THE NECESSARY MEASURES TO CONDUCT THE WORK OF REPAIRING THE SYSTEM AND INCREASING POWER PRODUCTION CAPACITY.

WHEREAS: The government of Puerto Rico has a constitutional duty to safeguard public order, as well as to protect the lives, safety, and property of all of its citizens.

WHEREAS: Electric power is an essential and indispensable service for guaranteeing public safety, the operation of commercial and industrial activities, and the good function of critical infrastructure such as water systems, telecommunications, and other basic services.

WHEREAS: During these past decades, Puerto Rico’s power grid has suffered a marked deterioration and neglect, resulting from a lack of resources needed for its adequate maintenance and for conducting essential repairs.

WHEREAS: In 2017, Puerto Rico was devastated by Hurricane María, catalogued as the fourth largest natural disaster in the history of the United States of America. This event destroyed the Island’s power grid, and it took over a year to temporarily reestablish its infrastructure. Afterwards, in 2020, a series of earthquakes severely affected power generation infrastructure located in the south of Puerto Rico. Regrettably, in 2022, Hurricane Fiona once again impacted the Island, further deteriorating the fragile and vulnerable power grid.

WHEREAS: The majority of Puerto Rico’s electrical infrastructure was designed in the 1960s with a projected lifespan of twenty (20) to twenty-five (25) years. Therefore, in addition to the damage suffered as a result of natural disasters of such great magnitude, the system has surpassed its lifespan by over three decades. These conditions have made it so that, despite the investment of millions of dollars in repairs and temporary solutions, the power generation units continue to present frequent failures and forced shutdowns, which show its critical state.

WHEREAS: Maintenance and repair work is currently underway for multiple generation units at different plants on the Island. Despite this, the units in operation have continued to experience faults that have substantially reduced energy generation in Puerto Rico.

WHEREAS: In accordance with the energy industry’s standards and best practices, Puerto Rico should have an installed generation capacity of at least five thousand five hundred megawatts (5,500 MW) to adequately address continuous demand and consumption peaks.

WHEREAS: Although renewable energy sources have begun to be installed in Puerto Rico, currently barely two percent (2%) of distributable energy generation comes from these sources. Residential solar systems offer partial relief during the day, but they lack the ability to generate energy during peak usage

hours – between six in the afternoon (6:00 p.m.) and eleven in the evening (11:00 p.m.) – due to the lack of sunlight.

WHEREAS: On December 31, 2024, a series of events affected generation units operated by Genera PR, AES and EcoEléctrica, causing a considerable loss in the energy system’s generation capacity. This was in addition to the major breakdown that occurred on February 14, 2024 at Unit 1 of Central Aguirre, which reduced base generation by two hundred and eighty megawatts (280 MW). To date, Unit 5 of the Central Southern Coast has presented faults that have put its stability and reliability in question, representing a potential additional loss of three hundred megawatts (300 MW).

WHEREAS: Total generation capacity – including assets of the Electrical Power Authority, renewable sources, and private operators – barely reach three thousand megawatts (3,000 MW), which represents an estimated deficiency of approximately thirty-three percent (33%) compared to the required capacity.

WHEREAS: This deficiency has caused multiple load shifting events throughout the past year. With summer coming soon, when energy usage on the island reaches its highest levels, it is imperative to adopt urgent and effective measures to address the energy crisis Puerto Rico is experiencing.

WHEREAS: Beginning on March 25, 2021, the Governor of Puerto Rico declared, through Executive Order No. 2021-024, a state of emergency for infrastructure, including energy infrastructure, and established an expedited process for evaluating and approving projects for reconstructing and modernizing the infrastructure.

WHEREAS: This past January 2, I issued Executive Orders No. 2025-002 and 2025-003 to simplify and fast-track permits for projects financed with federal funds, critical or strategic projects, and emergency projects. Similarly, on January 9, I used Executive Order No. 2025-005 to establish, under the current energy crisis, the Office of the Energy Czar, with powers focused on achieving efficiency, goal alignment, supervision of operators, and acceleration of the energy system’s recovery.

WHEREAS: This past January 20, 2025, the President of the United States, Donald J. Trump, issued two presidential Executive Orders declaring an emergency to leverage American energy (*Executive Order No. 14154*) and declaring a national energy emergency (*Executive Order No. 14156*). In them the urgency and necessity of eliminating bureaucracy, complying with applicable laws, accelerating permitting processes, and prioritizing efficiency and certainty over any other objective that could delay and create ambiguity in permitting processes is established. It is expressly ordered that all relevant federal agencies eliminate any delays in permitting processes, leveraging exemption mechanisms, general permits, and emergency decrees and regulations, among others, to accelerate the granting of federal permits.

WHEREAS: According to Executive Order No. 2025-005 and Presidential Executive Orders No. 14154 and No. 14156, the Government of Puerto Rico and the Energy Czar are already in talks with their counterparts in the federal government to facilitate and execute multiple critical energy projects and priorities in: (i) stabilizing energy generation, (ii) the construction of new and modern base generation, and (iii) rebuilding and modernizing the power grid.

WHEREAS: The Government of Puerto Rico stands firm in its commitment to a transition to renewable energy sources without neglecting its essential responsibility to safeguard the health, security, wellbeing, and stability of the energy system, taking all necessary actions to safeguard the lives and integrity of our citizens.

WHEREAS: Article 5.10 of Law No. 20-2017, as amended, known as the Puerto Rico Department of Public Safety Act, authorizes the Governor to declare a state of emergency and “render effective any state regulations, orders, plans, or measures for emergency or disaster situations or modify them at her discretion,” as well as to “prescribe, amend, and revoke any regulations, as well as issue, amend, and rescind such orders as deemed convenient to govern during the state of emergency or disaster.”

THEREFORE: I, JENNIFFER A. GONZÁLEZ, Governor of Puerto Rico, by virtue of the powers inherent to my office and the authority vested in me by the Constitution and the laws of Puerto Rico, hereby declare and order the following:

Section 1: **EMERGENCY DECLARATION.** I hereby declare a modification and expansion of the state of emergency over Puerto Rico’s energy system, including but not limited to, transmission and distribution systems, as well as generation and the auxiliary infrastructure that makes it possible to operate Puerto Rico’s energy system in a reliable, affordable manner, and in compliance with the applicable laws, including environmental laws – and, additionally, to modernize and reinforce said system to be in line with our times and circumstances.

It is imperative (i).to allege and authorize temporary short-term generation; (ii) perform major repairs to the generation units that operate using fossil fuels, such as “Ultra Loew Sulfur Diesel,” natural gas, and “Bunker C” with the support of said temporary generation; (iii) advance the most timely construction of base load plants; and (iv) fast-track the reconstruction and modernization of the power grid – with the support of state and federal agencies to grant pertinent emergency permits or authorizations in such a manner that permitting is not an obstacle nor the reason behind delays in said critical infrastructure projects under the emergency

Similarly, it is hereby ordered that repair and maintenance work on transformers, transmission and distribution lines, and electrical substations is to be accelerated with the purpose of mitigating the risks associated with faults in the system and guaranteeing the continuity of service.

Section 2: **ACTIVATION OF EXPEDITED PROCESS.** While this emergency declaration is in effect, the Electric Power Authority (AEE, for its initials in Spanish), LUMA Energy, Genera PR, AES, and EcoEléctrica are totally and absolutely exempted from any obligation to request, facilitate, file, or comply with any permit, consultation, authorization, endorsement, commentary, recommendation, certification, or collateral process before any government agency or office where the repair work, reconstruction, and/or replacement of equipment or components of Puerto Rico’s electrical system are concerned.

Said exemption applies, in whole, to any action or requirement that, under ordinary circumstances, would be required by law or regulation, and it

includes, but is not limited to – permits, certifications, or endorsements issued by: (1) the Permit Management Office (OGPe, for its initials in Spanish); (2) the Planning Board; (3) the Department of Natural and Environmental Resources (DRNA, for its initials in Spanish); (4) the Institute of Puerto Rican Culture; and any other agency or office that regulates the work of repairing, rebuilding, and/or replacing Puerto Rico’s electrical system equipment. This exemption includes, but is not limited to, the requirements established by laws, regulations, or standard procedures within agencies or offices. However, the Energy Bureau shall continue to carry out its functions as the entity that regulates Puerto Rico’s public energy policy.

The actions needed to carry out this work may be taken immediately, without the need for any prior permits, case filings, or administrative processes. However, said actions must be executed in compliance with the minimum applicable safety standards and in strict compliance with current federal rules and regulations.

Section 3:

RESPONSIBILITY OF THE ENERGY CZAR. The Energy Czar, through the authority vested in Administrative Bulletin No. OE-2025-005, must supervise the activities conducted by virtue of this Executive Order. They must also aid in the coordination needed for efforts that result necessary in implementing this Executive Order.

The Energy Czar shall also ensure that the emergency permitting and authorization mechanisms for the Government of Puerto Rico’s energy projects are aligned and consistent with the parallel processes at the federal level under the Presidential Executive Orders and applicable federal regulations, including categorical exclusions, emergency powers, exemptions, and emergency administrative orders applicable to energy projects (power grid, power generation plants, and other support infrastructure equipment) under the regulation of, among others, the federal Environmental Protection Agency (USEPA), the federal Department of Energy (USDOE), FEMA/DHS, the Council on Environmental Quality (CEQ).

The Energy Czar shall carry out any and all efforts to comply with the abovementioned, including close and substantial coordination with the federal government and state agencies.

Section 4:

It is paramount to reemphasize that the purpose of this Executive Order, and of those issued previously, is to use as a foundation the greatest common sense in compliance with applicable laws, in addressing the energy emergency and urgency that we face. This includes using and referring to – during the process of evaluating and approving energy projects – any reliable source of data in place of having to coordinate new scientific and technical research, except in cases where they are clearly relevant. The goal of this is to immediately advance and achieve the objectives of (i) delivering temporary short-term energy generation; (ii) conducting major repairs at power generation plants operated and maintained by Genera; (iii) advancing the construction of new power generation; and (iv) speeding up the reconstruction and modernization of the power grid.

Section 5:

REPORT. Within thirty (30) days of completing each project developed

in accordance with the provisions of this Executive Order, the Electric Power Authority, LUMA Energy, Genera PR, AES, and EcoEléctrica must submit a detailed report to the Energy Bureau and the Public-Private Partnerships Authority regarding the expenses incurred as of the conclusion of the work.

Section 6: **DEFINITION OF THE TERM ‘AGENCY’.** For the purposes of this Executive Order, the term “agency” refers to any agency, instrumentality, office, or dependency of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of their name.

Section 7: **NON-CREATION OF ENFORCEABLE RIGHTS.** This Executive Order is not intended to create any rights, substantive or procedural, enforceable at law or equity, by any person or entity, in any matter, civil, criminal, or administrative, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.

Section 8: **SEVERABILITY.** The provisions of this Executive Order are separate and independent of each other, and if any part, section, provision, or sentence of this Executive Order is declared unconstitutional, void, or invalid by a court of jurisdiction and venue, such a decision shall not affect the validity of the remaining provisions, which shall remain in full force.

Section 9: **PRIOR ORDERS SUPERSEDED.** This Executive Order shall supersede any executive order that may, in whole or in part, be inconsistent with the provisions herein, to the extent of such inconsistency

Section 10: **PUBLICATION.** This Executive Order must be filed immediately with the Department of State and the widest possible publication, including on official Government of Puerto Rico websites, is hereby ordered.

Section 11: **VALIDITY.** This Executive Order shall enter into force immediately and remain in effect until it is amended or annulled by a future Executive Order or by law.

IN TESTIMONY WHEREOF, I hereby issue this Executive Order under my signature and cause the seal of the Government of Puerto Rico to be affixed upon it, in La Fortaleza, in San Juan, Puerto Rico, on this 2nd day of April, 2025.

A blue ink signature of Jennifer A. González Colón, written in a cursive style.

JENNIFFER A. GONZÁLEZ COLÓN
GOVERNOR

Enacted in accordance with the law on this 2nd day of April, 2025.

A blue ink signature of Veronica Ferraiuoli Hornedo, written in a stylized, cursive font.

VERONICA FERRAIUOLI HORNEDO
SECRETARY OF STATE