



**GOVERNMENT OF PUERTO RICO**  
**Puerto Rico Public-Private Partnerships Authority**

Privileged & Confidential

January 12, 2020

**VIA POWERADVOCATE**

**PSEG PR**

**Re: Notification of Selection of Preferred Proponent and Next Steps**

Dear PSEG PR:

On behalf of the Partnership Committee, the Puerto Rico Public-Private Partnerships Authority (the "Authority") regrets to inform you that, after careful consideration, evaluation and discussion of all Definitive Proposals in accordance with the requirements set forth in the Request for Proposals for the Puerto Rico Electric Power Authority ("PREPA") transmission and distribution ("T&D") system (the "RFP") and the Regulation for the Procurement, Evaluation, Selection, Negotiation and Award of Partnership Contracts and Sale Contracts for the Transformation of the Electric System, under Act No. 120-2018 (the "Regulation"), the Partnership Committee has at this time selected another Qualified Respondent as the preferred Proponent (the "Preferred Proponent"). The Preferred Proponent will engage in exclusive discussions and negotiations with the Authority, pursuant to and in accordance with the terms of the RFP and the Regulation. However, the selection of such Qualified Respondent as Preferred Proponent is not an acceptance by the Partnership Committee of any or all of the conditions contained in such Qualified Respondent's Definitive Proposal. As provided in Section 5.1 of the Regulation, to the extent the Authority is unable to successfully conclude negotiations with such Preferred Proponent, the Authority reserves the right to select PSEG PR as a Preferred Proponent and similarly seek to successfully negotiate PSEG PR's Definitive Proposal.

Pursuant to Act No. 29-2009, as amended (the "PPP Act"), and the Regulation, the Authority will not entertain any request for reconsideration of the decision. Moreover, PSEG PR is hereby advised that it will have the right to request judicial review of this decision pursuant to the provisions of Article 20 of the PPP Act only when the O&M Agreement is approved pursuant to the provisions of Article 9(g) of the PPP Act. If the O&M Agreement is approved as required by the PPP Act and Act No. 120-2018, the Authority will duly notify PSEG PR as required by the PPP Act and Act No. 120-2018. Terms beginning with capital letters not specifically defined in this letter have the meaning ascribed to them in the RFP.

The Authority thanks PSEG PR for its interest in this procurement process.





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If PSEG PR has any questions on the above, please let the Authority know by replying to this message via the PowerAdvocate platform.

Sincerely,

  
Fermín E. Fontanés Gómez, Esq.  
Executive Director

