PUERTO RICO
ELECTRIC POWER AUTHORITY
PREPA
GOVERNMENT OF PUERTO RICO

Fernando Osorio Caño
Interim Executive Director

September 21, 2026

By Electronic Mail
ocarlo@carlolaw.com

Mr. Osvaldo Carlo Linares
President
Third-Party Procurement Office

Re: Request for Status of FOMB Conditions – Gothams Energy / RFP No. 3PPO-0314-20-TPG2

Dear Mr. Carlo Linares:

The Puerto Rico Electric Power Authority (PREPA) writes regarding the proposed temporary emergency generation contract with Gothams Energy, LLC and Americas Power Solutions Holdings Ltd. (collectively, "Gothams"), arising from RFP No. 3PPO-0314-20-TPG2.

PREPA acknowledges the information provided by the Third-Party Procurement Office's (3PPO) regarding Gothams on September 17, 2026. PREPA further understands that, based on those developments, the 3PPO has requested a determination regarding whether certain deviations from the RFP's previously established non-negotiable terms may be considered.

However, the September 17, 2026, correspondence does not specifically address the status of the conditions previously imposed by the Financial Oversight and Management Board for Puerto Rico (FOMB) in connection with its conditional approval of the proposed Gothams contract.

As reflected in the FOMB's September 16, 2026, correspondence, its May 8, 2026, approval was expressly conditioned upon revisions to several material provisions of the proposed contract, including matters concerning project schedule and performance enforcement, site selection, payment and performance guarantees, and fuel structure and fixed-price assurances. The FOMB further stated that certain matters remained outstanding following the 3PPO's June 2, 2026, submission and has now specifically requested an update regarding why those conditions have not yet been addressed, the actions taken since May 8, 2026, the matters that remain outstanding, and the expected timeline for completing any remaining negotiations and submitting a final revised contract for review.

Accordingly, and in order for PREPA to provide a complete and accurate response to the FOMB, we respectfully request that the 3PPO provide PREPA with a specific status update regarding each of the conditions imposed by the FOMB in connection with its May 8, 2026, conditional approval of the Gothams contract.

Given the FOMB's September 23, 2026, deadline for submission of the requested information, we respectfully request that the 3PPO provide this information and any corresponding supporting documentation as promptly as possible, and no later than September 22, 2026, so that PREPA may timely evaluate and incorporate the information into its response.

We appreciate the 3PPO's prompt attention to this matter.

Cordially,

Fernando Osorio Caño
Interim Executive Director