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PUBLIC-PRIVATE PARTNERSHIPS AUTHORITY
GOVERNMENT OF PUERTO RICO

CZAR ENERGY
GOVERNMENT OF PUERTO RICO

Eng. Josué A. Colón Ortiz I Executive Director

August 12, 2026

Héctor Ramírez Carbo, Esq.
Acting United States Attorney
United States Attorney's Office
District of Puerto Rico
San Juan, Puerto Rico

Dear Acting United States Attorney Ramírez Carbo:

Re.: Referral for Evaluation – Allegations Concerning the Legitimacy of the Execution of Contract No. 2026-P0010 and Representations Made by the Private Entities Comprising the Power Expectations Consortium

Initial

The Office of the Energy Czar of Puerto Rico and the Puerto Rico Public-Private Partnerships Authority ("P3A") hereby refer to your Office, for its knowledge, independent evaluation, and any action it may deem appropriate within its jurisdiction, certain allegations concerning the legitimacy of the execution of Contract No. 2026-P0010 and representations made by private entities comprising the Power Expectations consortium during the competitive procurement process for temporary generation. Specifically, the allegations concern whether Enchanted Rock, LLC ("Enchanted Rock"), which had been presented as a member of the Power Expectations consortium during the procurement process, authorized the use of its name and a signature corresponding to one of its representatives in connection with the execution of Contract No. 2026-P0010, as well as whether representations and documentation concerning Enchanted Rock's participation in the consortium accurately reflected its authorization and involvement.

The allegations relate to RFP No. 3PPO-0314-20-TPC2 and the resulting Contract No. 2026-P0010, executed by the Puerto Rico Electric Power Authority ("PREPA") on June 10, 2026. The competitive procurement was administered by the Third-Party Procurement Office ("3PPO"), a function performed by Regulatory Compliance Services Corp. ("ReComS"). P3A has retained ReComS since 2023, following a competitive procurement process, to administer certain procurements related to Puerto Rico's electric system where potential conflicts of

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interest may arise from the participation of LUMA Energy, LLC ("LUMA") Genera PR, LLC ("Genera") their respective parent companies, or affiliates. This framework operates pursuant to Act 120-2018, known as the *Puerto Rico Electric Power System Transformation Act*, and is intended, among other things, to preserve the integrity, fairness, transparency, and competitiveness of procurement processes affecting Puerto Rico's electric system.

On June 16, 2026, the allegations that are the subject of this referral were presented to P3A. On that same day, P3A referred the matter to the Principal Executive Officer of the 3PPO, Mr. Osvaldo Carlo Linares, for an independent review of the allegations and the information available at the time. Specifically, P3A requested that the 3PPO examine the relevant procurement record, conduct any additional fact-finding it deemed necessary, evaluate the circumstances surrounding the representations and documents at issue, and provide its findings, conclusions, and recommendations to P3A. Representatives of Enchanted Rock were also placed directly in contact with the 3PPO so that they could present any information, documentation, or evidence they considered relevant to that review.

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Following P3A's receipt and evaluation of the findings resulting from the 3PPO's independent investigation, P3A determined that the circumstances identified warranted referral to the appropriate investigative authorities. Given the nature of the allegations, the documentation involved, and the questions raised concerning the authorization for the use of Enchanted Rock's name and a signature corresponding to one of its representatives in connection with a public procurement and resulting contract, P3A concluded that the matter should be placed before the authorities possessing the jurisdiction and investigative powers necessary to make that determination. Specifically, P3A and the Office of the Energy Czar formally referred the matter to the Puerto Rico Department of Justice and, through this communication, now formally refer the matter to your Office for its independent evaluation and any action it may deem appropriate within its jurisdiction.

Attached for your consideration is the referral submitted to the Puerto Rico Department of Justice, together with the information and circumstances that led P3A to refer this matter to the appropriate investigative authorities. P3A will also make available to your Office, upon request, any additional documentation in its possession or control relating to the allegations and the subsequent review.

This referral does not constitute a determination by P3A or the Office of the Energy Czar that any crime, fraud, forgery, misrepresentation, or other unlawful conduct has occurred, nor does it constitute an accusation of criminal wrongdoing against any person or entity. P3A and the Office of the Energy Czar likewise express no conclusion as to whether the conduct described herein constitutes a violation of federal or Puerto Rico criminal law. The purpose of this referral is to place the matter before the appropriate authorities so that the facts and evidence may be

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independently evaluated and any action that may be warranted can be determined by the authorities with jurisdiction. P3A and the Energy Czar stand ready to cooperate fully with any further inquiry or investigation your Office may determine is warranted.

Respectfully,

Signed by:
Josué A. Colón Ortiz
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Josué A. Colón Ortiz
Energy Czar of Puerto Rico
Executive Director, P3A

Annexes

c AUSA Timothy Henwood, Chief, Criminal Division
AUSA Seth Erbe, Chief, Public Corruption Section
Osvaldo Carlo Linares, Esq., Principal Executive Officer, 3PPO
Lionel E. Santa Crispín, Esq., Chief Legal Officer, P3A