

Energy Alert
August 5, 2009

Executive Order Creating the Public Policy Committee on Energy

On July 21, 2009, Governor Luis G. Fortuño issued the “Executive Order Creating Public Policy Committee on Energy”, Executive Order OE-2009-23 (“EO”). The EO creates the Public Policy Committee on Energy (the “Committee”). The Committee will be composed of four (4) ex officio members and one (1) representative of the Governor’s Office. The four (4) ex officio members will be the following:

- The Secretary of the Department of Economic Development and Commerce (“DEDC”);
- The Executive Director of the Puerto Rico Electric Power Authority (“PREPA”);
- The Executive Director of the Energy Affairs Administration (“EAA”); and
- The President of the Government Development Bank (“GDB”).

Ex officio members may designate representatives to act on their behalf. The President of the Committee will be the Secretary of the DEDC and the Executive Director of the EAA will be in charge of its day to day operations.

The Committee will have the following duties:

1. Prepare and advise the Governor on a new public policy on energy for Puerto Rico. This new public policy on energy should include an energy portfolio with goals and diversification standards for different sources of energy.
2. Prepare and submit recommendations to the Governor concerning the development and installation of new alternative and renewable energy sources in accordance with Puerto Rico’s new public policy on energy.
3. Prepare and submit recommendations to the Governor concerning ways in which efficiency and accessibility to energy generation, distribution, and transmission systems can be achieved in accordance with the new public policy on energy.
4. Ensure that, to the fullest extent possible, Puerto Rico is benefited by the development of alternative and renewable energy projects under federal incentive programs available for such type of projects.
5. Ensure that a streamlined permitting process is implemented in all of Puerto Rico’s governmental agencies and instrumentalities for energy projects that are consistent with the new public policy on energy.
6. Evaluate and submit recommendations to the Governor with respect to proposed legislation or regulations seeking to further the implementation of Puerto Rico’s new public policy on energy.
7. Prepare periodical progress reports, perform studies, and any other assignment the Governor may assign to the Committee concerning the establishment of the new public policy on energy and the objectives of the EO.
8. Promulgate the Committee’s internal procedure regulations.

If you have any question or comment, or wish additional information regarding this matter, please contact any of the attorneys listed below, members of our Environmental, Energy and Land Use Practice Group.

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