

Presentment Date: January 5, 2024, at 4:00 p.m. (Prevailing Atlantic Time)  
Objections Due: January 4, 2024, at 4:00 p.m. (Prevailing Atlantic Time)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17-BK-3283-LTS

(Jointly Administered)

Re: ECF No. 23235

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA

Title III

No. 17-BK-4780-LTS

(Jointly Administered)

Re: ECF No. 3150

**NOTICE OF PRESENTMENT OF ORDER EXTENDING  
TIME FOR THE PUERTO RICO ELECTRIC POWER AUTHORITY TO  
ASSUME OR REJECT UNEXPIRED LEASES OF NONRESIDENTIAL REAL  
PROPERTY PURSUANT TO BANKRUPTCY CODE SECTION 365(d)(4)**

**PLEASE TAKE NOTICE THAT**, on January 11, 2023, the Court entered the *Order Extending Time for the Puerto Rico Electric Power Authority to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* [Case No.

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

17-4780, ECF No. 3150]<sup>2</sup> (the “Extension Order”) extending the deadline for the Puerto Rico Electric Power Authority (“PREPA”) to assume or reject certain unexpired leases of nonresidential real property (“Real Property Leases”) pursuant to 11 U.S.C. § 365(d)(4) to the earlier of (i) January 1, 2024, (ii) the date of expiration or termination of such leases pursuant to their own terms, or (iii) the date on which a plan of adjustment for PREPA becomes effective, without prejudice to (x) PREPA’s right to seek further extensions as contemplated by Bankruptcy Code section 365(d)(4)(B)(ii), or (y) the right of any party in interest to object to such requested extensions.

**PLEASE TAKE FURTHER NOTICE THAT** PREPA has sent letters to each of the landlords under the Real Property Leases to obtain consent for a further extension of the deadline to assume or reject such Real Property Leases. PREPA has also contacted or attempted to contact landlords who did not provide affirmative consent in response to such letters directly by phone. A list of the Real Property Leases for which affirmative consent to such further extension has been received is attached to the Proposed Order (defined below) as **Exhibit A**. A list of Real Property Leases for which no response has yet been received is attached to the Proposed Order (defined below) as **Exhibit B**.

**PLEASE TAKE FURTHER NOTICE THAT**, the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the representative of PREPA, hereby presents the *Order Extending Time for the Puerto Rico Electric Power Authority to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* (the “Proposed Order”) to the Honorable Laura Taylor Swain, United States District

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<sup>2</sup> Unless otherwise specified herein, docket references shall refer to Case No. 17-BK-4780.

Judge, sitting in the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, Office 150, San Juan, P.R. 00918-1767 for signature on **January 5, 2024**.

**PLEASE TAKE FURTHER NOTICE** that the Proposed Order provides that landlords that have not affirmatively denied consent to extend the deadline of the time for PREPA to assume or reject certain Real Property Leases shall be deemed to have consented to the extension of such deadline to the earlier of (i) January 1, 2025, (ii) the date of expiration or termination of such leases pursuant to their own terms, or (iii) the date on which a plan of adjustment for PREPA becomes effective; *provided that* the right of each such landlord to assert that its consent was not validly provided is expressly preserved pursuant to the Proposed Order.

**PLEASE TAKE FURTHER NOTICE** that the Proposed Order is attached hereto as **Exhibit 1**.

**PLEASE TAKE FURTHER NOTICE** that unless a written objection to the Proposed Order is filed with the Court in accordance with the *Eighteenth Amended Notice, Case Management and Administrative Procedures* [Case No. 17-3283, ECF No. 25937-1] by **4:00 p.m. (AST) on January 4, 2024**, no hearing will be held, and the Proposed Order may be approved by this Court.

**PLEASE TAKE FURTHER NOTICE** that copies of the Proposed Order and all documents filed in the Title III cases are available (a) free of charge by visiting <https://cases.ra.kroll.com/puertorico/Home-Index> or by calling +1 (844) 822-9231, and (b) on the Court's website at <http://www.prd.uscourts.gov>, subject to the procedures and fees set forth therein.

*[Remainder of page intentionally left blank]*

Dated: December 29, 2023  
San Juan, Puerto Rico

Respectfully submitted,

/s/ Paul V. Possinger

Martin J. Bienenstock

Paul V. Possinger

Ehud Barak

(Admitted *Pro Hac Vice*)

**PROSKAUER ROSE LLP**

Eleven Times Square

New York, NY 10036

Tel: (212) 969-3000

Fax: (212) 969-2900

Email: mbienenstock@proskauer.com

ppossinger@proskauer.com

ebarak@proskauer.com

*Attorneys for the Financial  
Oversight and Management Board  
as representative for PREPA*

/s/ Hermann D. Bauer

Hermann D. Bauer

USDC No. 215205

**O'NEILL & BORGES LLC**

250 Muñoz Rivera Ave., Suite 800

San Juan, PR 00918-1813

Tel: (787) 764-8181

Fax: (787) 753-8944

Email: hermann.bauer@oneillborges.com

*Co-Attorney for the Financial Oversight and  
Management Board as representative for  
PREPA*

**Exhibit 1**

**Proposed Order**

Presentment Date: January 5, 2024, at 4:00 p.m. (Prevailing Atlantic Time)  
Objections Due: January 4, 2024, at 4:00 p.m. (Prevailing Atlantic Time)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA

Title III

No. 17-BK-4780-LTS

(Jointly Administered)

**ORDER EXTENDING  
TIME FOR THE PUERTO RICO ELECTRIC POWER AUTHORITY TO  
ASSUME OR REJECT UNEXPIRED LEASES OF NONRESIDENTIAL REAL  
PROPERTY PURSUANT TO BANKRUPTCY CODE SECTION 365(D)(4)**

Upon the Debtor's *Motion for Entry of Order Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* [Case No. 17-3283, ECF No. 1518] (the "Motion"), the *Order Extending Time for the Puerto Rico Electric Power Authority to Assume or Reject Unexpired Leases of Nonresidential*

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19- BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

*Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* [Case No. 17-4780, ECF No. 3150], and the *Notice of Presentment of Order Extending Time for the Puerto Rico Electric Power Authority to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* [Case No. 17-4780, ECF No. \_\_\_\_], (the “Notice of Presentment”);<sup>2</sup> and the Court having found it has subject matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appearing that venue is proper pursuant to PROMESA section 307(a); and the Court having found that the extension of the deadlines, as set forth herein, is appropriate, and the relief requested is in the best interests of PREPA, its creditors, and other parties in interest, it is **HEREBY ORDERED THAT:**

1. The deadline for PREPA to assume or reject any of the Real Property Leases listed on **Exhibit A** hereto is extended until the earlier of (i) January 1, 2025, (ii) the date of expiration or termination of such leases pursuant to their own terms, or (iii) the date on which a plan of adjustment for PREPA becomes effective, without prejudice to PREPA’s right to seek further extensions as contemplated by Bankruptcy Code section 365(d)(4)(B)(ii), or (y) the right of any party in interest to object to such requested extensions.

2. Attached hereto as **Exhibit B** is a list of additional Real Property Leases for which the respective landlords have been sent a request for a consensual extension of the PREPA’s time to assume or reject pursuant to section 365(d)(4) until the earlier of (i) January 1, 2025, (ii) the date of expiration or termination of such leases pursuant to their own terms, or (iii) the date on which a plan of adjustment for PREPA becomes effective, with an indication that they will have been deemed to consent absent an affirmative indication that they do not consent as requested, and

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<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings given to them in the Motion or the Notice of Presentment.

for which no such consent or lack of consent has been indicated as of the date of presentment of this Order. The deadline for PREPA to assume or reject any of the Real Property Leases listed on **Exhibit B** is hereby extended until the earlier of (i) January 1, 2025, (ii) the date of expiration or termination of such leases pursuant to their own terms, or (iii) the date on which a plan of adjustment for PREPA becomes effective, without prejudice to (x) PREPA's right to seek further extensions as contemplated by Bankruptcy Code section 365(d)(4)(B)(ii), or (y) the right of each landlord on **Exhibit B** to assert that its consent was not validly provided.

3. PREPA may submit further orders on the Motion with respect to additional landlords who may in the future consent to an extension of the PREPA's deadline to assume or reject Real Property Leases under Bankruptcy Code section 365(d)(4) until seven days prior to the expiration of PREPA's respective deadline in accordance with the presentment procedures set forth in the *Eighteenth Amended Notice, Case Management and Administrative Procedures* [Case No. 17-3283, ECF No. 25937-1].

4. Nothing in the Motion or this Order shall be deemed or construed as (i) an assumption or rejection of any agreement, contract, or lease pursuant to Bankruptcy Code section 365, or (ii) an admission with respect to whether any of PREPA's contracts or leases is an unexpired lease of nonresidential real property within the meaning of Bankruptcy Code section 365(d). The relief granted by this Order shall not affect PREPA's rights to assume, assume and assign, or reject any Real Property Leases.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: \_\_\_\_\_, 2024  
San Juan, Puerto Rico

\_\_\_\_\_  
Honorable Laura Taylor Swain  
United States District Judge

**Exhibit A**  
**Affirmative Consent**

**Real Property Leases Under Affirmative Consent- PREPA**

CONTRACTOR	NAME OF ENTITY	CONTRACT NUMBER	ENM	CONTRACTOR (LANDLORD) RESIDENT AGENT	PROPERTY ADDRESS	CONTRACTOR (LANDLORD) TELEPHONE	INQUIRY CONTACT NAME (1)	STATUS OF CONSENT	INQUIRY CONTACT COMMENTS (1)	INQUIRY CONTACT DATE
Administración de Terrenos				PREPA	Ave. Juan Hernández Ortiz, Isabela	787-753-9470	Hector Serrano	YES		12/22/23
Administración de Terrenos				PREPA	Bo, San Antón, Ponce	787-753-9470	Hector Serrano	YES		12/22/2023
F.D.R. 1500 CORP				PREPA-LUMA	Ave. Roosevelt #1500, San Juan	787-756-8407 ext. 1181	Marjory Mendoza/ David Kopel	YES		12/26/23
Fomento Industrial (PRIDCO)				PREPA-LUMA	PR-102 San Germán	(787)758-4747 Ext. 3158	Celeste Rexach	Yes	This contract is renewed on a monthly basis.	12/28/23
Fomento Industrial (PRIDCO)				PREPA-LUMA	Bo, Islote, Manatí	(787)758-4747 Ext. 3158	Celeste Rexach	YES	This contract is renewed on a monthly basis.	12/28/23
Fomento Industrial (PRIDCO)				PREPA-LUMA	Bo. Martino, Vieques	(787)758-4747 Ext. 3158	Celeste Rexach	YES	This contract is renewed on a monthly basis.	12/28/23
Fomento Industrial (PRIDCO)				PREPA-LUMA	Calle San Idelfonso, Coamo	(787)758-4747 Ext. 3158	Celeste Rexach	YES	This contract is renewed on a monthly basis.	12/28/23
Fomento Industrial (PRIDCO)				PREPA-LUMA	Operaciones Técnicas Juana Díaz	(787)758-4747 Ext. 3158	Celeste Rexach	YES	This contract is renewed on a monthly basis.	12/28/23
Fomento Industrial (PRIDCO)				PREPA-LUMA	Parque Industrial, Cabo Rojo	(787)758-4747 Ext. 3158	Celeste Rexach	YES	This contract is renewed on a monthly basis.	12/28/23
Fomento Industrial (PRIDCO)				PREPA-LUMA	Area Industrial Caín Alto, PR-362 San Germán	(787)758-4747 Ext. 3158	Celeste Rexach	YES	This contract is renewed on a monthly basis.	12/28/23
Fomento Industrial (PRIDCO)				PREPA-LUMA	PR-181 San Lorenzo	(787)758-4747 Ext. 3158	Celeste Rexach	YES	This contract is renewed on a monthly basis.	12/28/23
La Quinta Shopping Center, Corp.				PREPA-LUMA	San German	(787) 791-6020	Irving Ramirez	YES		12/26/23- 12/27/23- 12/28/2023
M. Otero y CIA, SE				PREPA	Manati	(787) 505-7435	Rafael Ondina	YES		12/27/23- 12/28/2023
Municipio de Utuado		2022-L00184		PREPA-LUMA	Calle Esteves, Utuado	(787) 894-3505	Sonia Mendez	YES	Multi annual contract from March 23, 2022- March 22, 2027	12/21/23

**Exhibit B**  
**Deemed Consent**

**Real Property Leases Under Deemed Consent- PREPA**

CONTRACTOR	NAME OF ENTITY	CONTRACT NUMBER	ENM	CONTRACTOR (LANDLORD) RESIDENT AGENT	PROPERTY ADDRESS	CONTRACTOR (LANDLORD) TELEPHONE	INQUIRY CONTACT NAME (1)	STATUS OF CONSENT	INQUIRY CONTACT COMMENTS (1)	INQUIRY CONTACT DATE
AEP				PREPA	Centro Gubernamental de Guayanilla	(787)-722-0101			Was greeted by automated phone system but then when re-directed, no answer.	12/22/23-12/26/23-12/27/23-12/28/23
AEP				PREPA	Centro Gubernamental de Juncos, Calle Muñoz, Rivera, Juncos	(787)-722-0101			Was greeted by automated phone system but then when re-directed, no answer.	12/22/23-12/26/23-12/27/23-12/28/23
Centro del Sur Mall, LLC.		2020-P00041		PREPA	Centro del Sur Mall, Ave.Miguel Pou, Ponce	(787) 622-9600 (ext.116)	Maria Fernandez Velez, Esq.		Director of Lease Department was unavailable to take the call. Said they would call back.	12/22/23-12/26/23-12/27/23-12/28/23
Fideicomiso Institucional de la Guardia Nacional (FIGNA)		2017-P00038		PREPA	PR-1 KM 57.2 Cayey	(787) 253-4040 ext. 4011/4008/4005			No answer in any of the extensions nor different department options in call system.	12/22/23-12/26/23-12/27/23-12/28/2023
Geren COOP		2017-P00079		PREPA	Cond San Alberto Calle Condado, Santurce	787-722-0303	Griselle De Jesus		President/Administrator was unavailable to take the call. Said they would call back. Geren Coop was liquidated and changed its ownership to Candel Coop.	12/22/23-12/28/23
Ismael Meléndez Rivera E Hijos		2011-P00069		PREPA	Bo. Felicia, Santa Isabel	Searched through different means. Could not locate phone number				12/22/23-12/28/23
Jorge A. Mundo		2017-P00029		PREPA	Calle Palmer #103, Canóvanas	Searched through different means. Could not locate phone number				12/26/23
Municipio de Culebra				PREPA	Calle Pedro Márquez, Culebra	(787) 742-3521 ext. 4032/ 4025	Pedro Padron		Padron is the Finance Director and said he had to ask s the person with information about the particular. Said they would call back.	12/26/23-12/27/23-12/28/23

R.I.V., LLC		2010-000046		PREPA	Consolidated Mall, Caguas	(787) 725-1000			Latest number appearing in corporate records is from their Accounting Office, an outsource. Talked to Normarie Casanova, said she was going to communicate directly with R.I.V., LLC and would call back.	12/27/23-12/28/23
Sonuvac, Inc.		2017-P00013		PREPA	Consolidated Mall, Caguas	(787)744-5278 (ext. 212)	Nohemi Carrasquillo; Yolanda Padua		Carrasquillo is the Finance Director and said Padua was the person with information about the particular, but was unavailable to take the call. Said they would call back.	12/22/23-12/26/23-12/28/23
Delmar Investments, SE				PREPA	Ponce	(787) 840-1313			Was greeted by automated phone system with a recorded message indicating that they were closed.	12/22/23-12/26/23-12/27/23-12/28/23
Desarrolladora LCP, Corp.		2017-P00084		PREPA	Lincoln Center Plaza, Calle Muñoz Rivera, Caguas	(787) 289-4140/ (787) 977-0001/ (787) 289-8140			Was greeted by a voice message, no answer. Previous agreement expired by its own terms on March 19, 2022.	12/22/23-12/26/23-12/27/23-12/28/23
Haydee E. Reichard, Juan C y Pablo G Cancio Reichard		2022-L00096		PREPA/LUMA	Carr #2 Bo. Caimital Alto, Aguadilla	Searched through different means. Could not locate phone number.			In the Comptroller's Contract Registry, there is a contract effective from October 1, 2021, to September 30, 2023.	12/22/23-12/27/23
Jose Ruiz Vazquez		2024-P00013		PREPA	Carr 385 Bo Tallaboa Sector Seboruco, Peñuelas / PO Box 10490, Ponce, PR 00732	Searched through different means. Could not locate phone number.			In the Comptroller's Contract Registry, there is a contract effective from July 1, 2023 to July 31, 2023.	12/27/2023
Keller Holdings, LLC		2022-L00060		PREPA/LUMA	Calle McKinley #108 Esquina Doctor Vadi, Barrio Cristy, Mayaguez	(787) 264-3300	Kimberly Keller Reyes		In the Comptroller's Contract Registry, there is a contract effective from August 14, 2021 to August 14, 2026.	12/28/23
OFFICE PARK, INC.		2021-P00049		PREPA	1 CALLE 65 DE INFANTERIA NTE, STE# 2 LAJAS, PR 00667	(787)-808-2000/ (787) 831-3744/ (787) 832-2430/ (787)-638-8129	Adil Toro / Gretchen Huyke,, Esq.		Spoke with counsel Gretchen Huyke, Esq. who indicated that these lease agreements had expired. This contract expired on August 12, 2021.	12/26/23-12/27/23-12/28/2023
San José Building Associates		2017-P00083		PREPA	Edif. San José Building, Ave. Ponce de León, Santurce	(787) 722-3139			Was greeted by automated phone system but then when re-directed, no answer.	12/26/23-12/27/23-12/28/2023

AAA Mini Almacenes				PREPA	245 Calle Rosa Urb. Ferry Barrana, Ponce	(787) 493-5016/ (787) 339-2885/ (787) 300-7029	Jeancarlos Alomar/ Jennifer Zayas		Spoke with Jeancarlos Alomar who indicated the storage name was changed to Southern Self Storage, the General Manager was unavailable to take the call. Said they would call back. We follow-up, no answer.	12/22/23 - 12/26/2022- 12/27/23
Angel Olivero Budet		2022-L00233		PREPA-LUMA	Calle Muñoz Rivera, Fajardo	(787) 863-4918			Was greeted by a voice message, no answer.	12/28/2023