

(H.B. 2398)

(No. 223)

(Approved October 4, 2006)

AN ACT

To add a new subsection (v) to Section 6 of Act No. 83 of May 2, 1941, as amended, known as the “Puerto Rico Electric Power Authority Act,” in order to provide that the Electric Power Authority (AEE, Spanish acronym) submit to the Governor and the Legislature of Puerto Rico an annual report about its capacity to face emergencies caused by hurricanes in relation to the electric energy supply.

STATEMENT OF MOTIVES

On September 15, 2004, tropical storm Jeanne passed over Puerto Rico. As a consequence of this, the electric power supply system of the AEE suffered a complete blackout. In statements made to the media of the Island, the Executive Director of AEE indicated that a decision was made of turning off the system as a means of protecting the electric power system and guarantee the safety of the workers and the residents.

Referring to this particular incident, the Office of the Comptroller issued the **Audit Report CP-06-02 (Report)** of August 11, 2005. The main finding set forth in said report indicates that a report submitted by the Acting Executive Director of AEE to the Governing Board of AEE relative to the management of the electric power system during the course of tropical storm Jeanne did not include the causes that originated the damages that affected the Electric Power System as to the management of the Technical Operations Center to confront emergency situations such as storms and

hurricanes and that a revision of an AEE emergency plan for the management of atmospheric disturbances was never undertaken. A second finding set forth in the **Report** comments on the deficiencies in the tree branch cutting program that could cause from local damages to blackouts of the AEE electric power system. They also propitiated the climate for putting at risk the safety of the citizens with the consequent adverse effects for AEE.

The objective of this bill is to require that AEE render an annual report to the Governor and to the Legislature of Puerto Rico informing about the measures it has taken to handle emergencies related to atmospheric disturbances such as storms and hurricanes so as to be ready to confront any emergency situation that may arise during any coming hurricane season.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-A new subsection (v) is hereby added to Section 6 of Act No. 83 of May 2, 1941, as amended, to read as follows:

“Section 6.-Powers

The Authority is created for the purpose of conserving, developing and utilizing, as well as aiding in the conservation, development and utilization of water and energy resources in Puerto Rico, for the purpose of making available to the inhabitants of the Commonwealth, in the widest economic manner, the benefits thereof and by this means promote the general welfare and increase commerce and prosperity; and the Authority is conferred and shall have and may exercise the rights and powers necessary or convenient for achieving the aforesaid purposes including (but without limiting the scope of said projects) the following:

(a) ...

(v) Not later than May 31 of each year a report shall be submitted to the Governor and to the Legislature of Puerto Rico informing them as to

the measures that have been taken at the Authority during the past six months prior to the initiation of the hurricane season to attend to the emergencies that may arise related to the coming hurricane season and other atmospheric disturbances, including floods, that may affect the electric power system. The report shall include, without it being understood as a limitation, the following information:

1. Improvements to the Operating Plan for Emergencies caused by Atmospheric Disturbances – Revised by the Authority.

2. The situation of the program for the tree branch cutting program for protecting power lines and a report of the petitions for branch cutting pending to May 31 of the year in which the report is filed.

3. The conditions of those projects for improving the electric power system specifically directed to maintaining it operational or for anticipating the circumstances for handling the damages caused by these natural phenomena so that the damages may be minimized and repaired faster.

4. The protocol for making the decision and carry out the disconnection of the electric power system and reports rendered or certifications issued by qualified personnel as to the effectiveness or correctness of the Protocol.

5. Training programs that have been offered to qualify the essential personnel during the six months prior to the filing of the report.

6. Contingency plans to handle situations after a storm or hurricane has passed addressed to normalize or reestablish the electric power system.”

Section 2.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 223 (H.B. 2398) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to add a new subsection (v) to Section 6 of Act No. 83 of May 2, 1941, as amended, known as the “Puerto Rico Electric Power Authority Act,” in order to provide that the Electric Power Authority (AEE, Spanish acronym) submit to the Governor and the Legislature of Puerto Rico an annual report about its capacity to face emergencies caused by hurricanes in relation to the electric energy supply,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 12th of January of 2007.

Francisco J. Domenech
Director