



GOVERNMENT OF PUERTO RICO
PUERTO RICO PUBLIC-PRIVATE PARTNERSHIPS AUTHORITY

Privileged & Confidential
June 10, 2022

**VIA POWERADVOCATE
AND CERTIFIED MAIL**

NAES Corporation

Re: Notification of Selection of Preferred Proponent and Next Steps

Dear NAES:

On behalf of the Partnership Committee, the Puerto Rico Public-Private Partnerships Authority (the "Authority") regrets to inform you that, after careful consideration, evaluation and discussion of all Definitive Proposals in accordance with the requirements set forth in the Request for Proposals for the Puerto Rico Electric Power Authority ("PREPA") thermal generation facilities (the "RFP"), and pursuant to Section 5.1 of the Regulation for the Procurement, Evaluation, Selection, Negotiation and Award of Partnership Contracts and Sale Contracts for the Transformation of the Electric System, under Act No. 120-2018 (the "Regulation"), the Partnership Committee has at this time selected another Qualified Respondent as the preferred Proponent who will engage in exclusive discussions and negotiations with the Authority (the "Preferred Proponent"), pursuant to and in accordance with the terms of the RFP and the Regulation. However, the selection of such Qualified Respondent as Preferred Proponent is not an acceptance by the Partnership Committee of any or all of the conditions contained in such Qualified Respondent's Definitive Proposal. As provided in Section 5.1 of the Regulation, to the extent the Authority is unable to successfully conclude negotiations with such Preferred Proponent, the Authority reserves the right to select NAES as a Preferred Proponent and similarly seek to successfully negotiate your Definitive Proposal.

Pursuant to Act No. 29-2009, as amended (the "PPP Act"), and the Regulation, the Authority will not entertain any request for reconsideration of the decision. Moreover, you are hereby advised that you will have the right to request judicial review of this decision pursuant to the provisions of Article 20 of the PPP Act



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only when the O&M Agreement is approved pursuant to the provisions of Article 9(g) of the PPP Act. If the O&M Agreement is approved as required by the PPP Act and Act No. 120-2018, the Authority will duly notify you as required by the PPP Act and Act No. 120-2018. Terms beginning with capital letters not specifically defined in this letter have the meaning ascribed to them in the RFP.

The Authority thanks you for your interest in this procurement process.

If you have any questions on the above, please let the Authority know by replying to this message via the PowerAdvocate platform.

Sincerely,

The Partnership Committee

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James Wilens
 WAES Corporation
 1180 NW Maple Street
 Suite 20
 Issaquah, WA 98027



9590 9402 4448 8248 2865 47

2. Article Number (Transfer from service label)

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
 JB/CIS Addressee
- B. Received By (Printed Name) Date of Delivery
S Bachmann 6/13/22
- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

7001 0320 0003 1460 7406

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
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 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
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 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
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Domestic Return Receipt