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“Act for the Implementation of the Puerto Rico Public Service Regulatory Board Reorganization Plan”

Act No. 211 of August 12, 2018, as amended

(Contains amendments incorporated by:
[Act. No. 17 of April 11, 2019](#))

To enact the “Act for the Implementation of the Puerto Rico Public Service Regulatory Board Reorganization Plan,” in order to adjust the code of laws in effect to the provisions of said plan; amend Sections 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 19, 23, 28, 30, 34, 35, 36, 37, 49, 52, 55, 59, 68, 69, 76, 84, 85, and 89; repeal Section 5 and substitute it for a new Section 5 in Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act”; amend Section 3 of Chapter I, amend Sections 3, 7, 9, 10, and 11 of Chapter II; amend Sections 7 and 10 of Chapter III; amend Section I of Chapter IV; repeal Sections 2 and 4 of Chapter II and substitute them for new Sections 2 and 4 in Chapter II of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#); amend Sections 1.3, 4.1, 6.1, 6.2, 6.3, 6.4, 6.10, 6.11, 6.12, 6.18, 6.20, 6.23, 6.28, 6.30, 6.37, and 6.40; repeal Sections 6.41 and 7.01; amend and renumber Section 6.42 as 6.41; renumber Sections 6.43, 6.44, 7.02, 7.03, 7.04, 7.05, and 7.06 as Sections 6.42, 6.43, 7.01, 7.02, 7.03, 7.04, and 7.05 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation and RELIEF Act”](#); amend Section 2(d) of [Act No. 83 of May 2, 1941, as amended, known as the “Puerto Rico Electric Power Authority Act”](#); and for other related purposes.

STATEMENT OF MOTIVES

Leading Puerto Rico in the right path requires a paradigm shift, such as that proposed by this Administration in the Puerto Rico Socioeconomic Transformation Model included in the Plan for Puerto Rico. The Plan for Puerto Rico seeks to implement a new Government structure that significantly reduces public spending and substantially improves government functions. To achieve this, services provided by the government must be thoroughly assessed in order to determine which services may be consolidated, delegated to the private sector, or eliminated for they are no longer necessary. Our goal is to avoid dismissing public employees, and move them according to our People’s needs for services. In turn, the certified Fiscal Plan ratifies our commitment to reform the government apparatus thus eliminating obsolete, inefficient, or redundant structures and achieving transparency and efficiency.

Since January 2, 2017, we have been implementing a systematic plan to control government spending, reactivate our economy, and allow for the conditions to create more and better jobs in the private sector. We are showing the world that Puerto Rico is open to do business in a safe and stable governmental environment. The measures introduced by the Governor and approved by this Legislative Assembly during the first year of his administration have changed the course of the

Government of Puerto Rico and have set it on a path of fiscal responsibility, but there is still much to do. Together, we are honoring our commitment at a fast pace and moving Puerto Rico towards stability.

Furthermore, in view of Puerto Rico’s serious economic and fiscal emergency situation, it is necessary to approve this Act by virtue of the Police Power and in accordance with Sections 18 and 19 of Article II and Sections 7 and 8 of Article VI of the Constitution of Puerto Rico in order to achieve a more efficient and less costly Government. We exercise this Police Power to take the necessary measures and set Puerto Rico on the path of financial recovery.

In accordance with the foregoing, last December 18, 2017, the Governor of Puerto Rico, the Hon. Ricardo Roselló-Neves, signed the “New Government of Puerto Rico Act,” which became Act No. 122-2017. Pursuant to Act No. 122-2017, the Governor submitted to the Legislative Assembly a reorganization plan that provides for the creation of the Puerto Rico Public Service Regulatory Board (PSRB) in an effort to consolidate under a new administrative and operational structure the Telecommunications Regulatory Board, the Public Service Commission, the Independent Consumer Protection Office, the Puerto Rico Energy Administration, and the Energy Commission. Upon the approval of the Reorganization Plan submitted by the Governor, in accordance with Section 2.05 of Act No. 122-2017, this Legislative Assembly promulgates this Act to repeal and/or adjust any laws or parts thereof that were affected by such Reorganization Plan.

A new administrative model is necessary to allow for a better use of human capital and fiscal resources. The PSRB shall operate as an independent entity and shall be vested with the necessary capacity and powers to enforce this Act and the Reorganization Plan of the Puerto Rico Public Service Regulatory Board. This Act shall allow for the integration of government activities relating to essential public services under a single entity directed by a collegial body whose principal mission is to regulate, oversee, and administer the consolidated instrumentalities as efficiently as possible.

Lastly, as stated in the approved Reorganization Plan, this Act does not seek to change the public policy of the Government of Puerto Rico on this subject. Its main intent is to adjust the code of laws in effect to the new organizational and administrative structure.

Be It Enacted by the Legislative Assembly of Puerto Rico:

CHAPTER I: GENERAL PROVISIONS

Section 1. — Title.

This Act shall be known as the “Act for the Implementation of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board.”

Section 2. — Purpose and Scope.

The purpose of this Act is to implement and enforce the Reorganization Plan of the Puerto Rico Public Service Regulatory Board (Reorganization Plan) adopted and approved by the Legislative Assembly under Act No. 122-2017, known as the “New Government of Puerto Rico Act.” The implementation of the Reorganization Plan shall adhere to the general principles and purposes of Act No. 122-2017, as stated by the Legislative Assembly in this Act.

Section 3. — The Board and its Chair.

The Public Service Regulatory Board and the Chair thereof are hereby empowered to take actions as are necessary to implement the Reorganization Plan of the Puerto Rico Public Service Regulatory Board and the amendments contained herein. Both the Board and its Chair shall have all the necessary powers and authorities to implement the Reorganization Plan in accordance with this Act.

Section 4. — Public Policy.

This Act does not change, modify, or alter the public policy set forth by the Legislative Assembly in the laws being amended. Any changes to the public policy set forth by law shall require the filing of a new bill.

Section 5. — Compliance with Act No. 122-2017.

The implementation of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board shall adhere to the general guidelines and principles established in Act No. 122-2017, known as the “New Government of Puerto Rico Act.”

Section 6. — Definitions.

For purposes of this Act, the following terms shall have the meaning stated below, unless the context clearly indicates otherwise:

- (a) **“Executive Director”** — Means the Director appointed by the Chair of the Public Service Regulatory Board by virtue of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board, in charge of assisting the Chair in the administration of the Board.
- (b) **“Board”** or **“PSRB”** — Means the Puerto Rico Public Service Regulatory Board created under the Reorganization Plan of the Puerto Rico Public Service Regulatory Board.
- (c) **“Bureaus”** — Means the Energy Bureau, the Telecommunications Bureau, the Transport and other Public Services Bureau, created by virtue of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board.
- (d) **“TEB”** — Means the Puerto Rico Telecommunications Bureau.
- (e) **“PREB”** — Means the Puerto Rico Energy Bureau.
- (f) **“TPSB”** — Means the Puerto Rico Transport and other Public Services Bureau.
- (g) **“Plan”** — Means the Reorganization Plan of the Puerto Rico Public Service Regulatory Board.

(h) “Chair” — Means the Chair of the Puerto Rico Public Service Regulatory Board by virtue of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board.

Section 7. — Budget and Other Funds.

The Chair of the PSRB, in conjunction with the Commissioners of the Bureaus, shall prepare, administer, request, process, receive, and draw up the budgets of the Bureaus, as well as determine the use and control of the equipment, materials, and any transferred property, respecting the operational and functional independence of the Bureaus at all times.

All funds available, regardless of their nature, originating from the budgets, powers, and/or functions of the Bureaus which are transferred herein to the Board for the administration thereof shall be used to defray the operating expenses of the Board and each one of the Bureaus, in accordance with the purposes for which they were allocated, subject to the terms, restrictions, limitations, and/or requirements imposed thereon by the applicable state or federal laws. Except for the budget of the Energy Bureau, beginning Fiscal Year 2018-2019, and thereafter, the Chair, in conjunction with the Executive Director and the Commissioners of each Bureau shall draw up the annual budget of the Bureaus. The Executive Director shall submit the budget of the Puerto Rico Telecommunications and the Puerto Rico Transport and Other Public Services Bureaus to the Office of Management and Budget and the Legislative Assembly for the inclusion and approval of their budget appropriations.

Section 8. — Transfer of Powers to the Bureaus.

The powers and authorities that were exercised, and the duties that were discharged by the Presidents or Heads by virtue of the respective organic acts of the instrumentalities that shall become Bureaus of the Board are hereby delegated exclusively to the Presidents of the Bureaus, upon the approval of this Act.

All of the services that were formerly rendered by the instrumentalities that are now part of the Board shall be likewise rendered by the Bureaus.

Section 8A. — Executive Director.

The Executive Director of the PSRB, who shall be appointed by the Chair of the PSRB, shall discharge his functions pursuant to the Plan, this Act, and any other applicable law. The Executive Director shall be a citizen of the United States of America and a resident of Puerto Rico. Furthermore, he shall be of legal age, have recognized professional capacity, be of moral probity, have knowledge and experience in the field of public administration and government management, and have a college education as well as experience on matters under the jurisdiction of at least one of the bureaus attached to the PSRB. This shall be an at-will trust position.

Section 8B. — Members of the Public Service Regulatory Board.

The Board shall be composed of two (2) associate members and one (1) Chair, all of which shall be appointed by the Governor of Puerto Rico with the advice and consent of the Senate of

Puerto Rico, and may only be dismissed for just cause. Initially, the Chair shall hold office for a term of six (6) years and the associate members shall hold office for a term of three (3) and two (2) years, respectively. The members of the PSRB who are the successors of the Chair and the associate members shall hold office of a term of four (4) years. The members of the Board shall be citizens of the United States of America and residents of Puerto Rico, of legal age, have recognized professional capacity, be of moral probity, have knowledge and experience in the field of public administration and government management, and have a college education as well as experience on matters under the jurisdiction of at least one of the regulatory instrumentalities consolidated in the Plan. However, one of the members shall have experience on matters under the jurisdiction of the Energy Bureau.

The Chair and the two (2) associate members shall discharge all of their functions pursuant to the Plan, this Act, and any other applicable law.

Section 9. — Administrative and Judicial Review Procedures of the Bureaus.

A party adversely affected by an order, resolution, decision, or final determination by the Telecommunications Bureau or the Transport and other Public Services Bureau created by virtue of the Plan may file a petition for administrative review with the Public Service Regulatory Board, or with the Court of Appeals. The adversely affected party shall have discretion to choose the forum to which the party shall appeal unless jurisdiction has been granted by a law of the Government of the United States of America to any federal agency or entity or to the U.S. District Court for the District of Puerto Rico. The petition for review shall be filed in accordance with Act No. 38-2017, known as the “Government of Puerto Rico Uniform Administrative Procedure Act,” and with the rules of the Court of Appeals adopted for such purposes, as the case may be. The resolutions or decisions of the Public Service Regulatory Board shall be deemed to be final determinations of the Bureaus.

If a party adversely affected by an order, resolution, decision, or final determination of the Public Service Regulatory Board has filed a petition for review with said forum, pursuant to this Section, such party may file a petition for review with the Court of Appeals. The petition shall be filed in accordance with Act No. 38-2017, as amended.

A party adversely affected by an order, resolution, decision, or final determination of the Energy Bureau created by virtue of the Plan may only file a petition for review with the Court of Appeals of Puerto Rico.

Section 9 A. — Reviewing Authority of the Public Service Regulatory Board.

The reviewing authority of the Public Service Regulatory Board shall be exercised by the chair and the two (2) associate members of such entity as a collegial body. If the chair is unable to exercise its reviewing authority in a particular case or matter by reason of disqualification or illness, the Executive Director shall substitute him in such case or matter only.

CHAPTER II: TRANSPORT AND OTHER PUBLIC SERVICES BUREAU

Section 10. — Omitted. *[Note: Section 2 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 11. — Omitted. *[Note: Section 4 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 12. — Omitted. *[Note: Section 5 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 13. — Omitted. *[Note: Section 6 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 14. — Omitted. *[Note: Section 7 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 15. — Omitted. *[Note: Section 8 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 16. — Omitted. *[Note: Section 9 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 17. — Omitted. *[Note: Section 10 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 18. — Omitted. *[Note: Section 11 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 19. — Omitted. *[Note: Section 12 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 20. — Omitted. *[Note: Section 13 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 21. — Omitted. *[Note: Section 14 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 22. — Omitted. *[Note: Section 16 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 23. — Omitted. *[Note: Section 19 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 24. — Omitted. *[Note: Section 23 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 25. — Omitted. *[Note: Section 28 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 26. — Omitted. *[Note: Section 30 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 27. — Omitted. *[Note: Section 34 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 28. — Omitted. *[Note: Section 35 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 29. — Omitted. *[Note: Section 36 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 30. — Omitted. *[Note: Section 37 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 31. — Omitted. *[Note: Section 49 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 32. — Omitted. *[Note: Section of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 33. — Omitted. *[Note: Section 55 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 34. — Omitted. *[Note: Section 59 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 35. — Omitted. *[Note: Section 68 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 36. — Omitted. *[Note: Section 69 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 37. — Omitted. *[Note: Section 76 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 38. — Omitted. *[Note: Section 84 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 39. — Omitted. *[Note: Section 85 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

Section 40. — Omitted. *[Note: Section 89 of Act No. 109 of June 28, 1962, as amended, known as the “Puerto Rico Public Service Act,” is hereby amended]*

CHAPTER III: TELECOMUNICATIONS BUREAU

Section 41. — Omitted. *[Note: Section 3 of Chapter I of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 42. — Omitted. *[Note: Section 2 of Chapter II of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 43. — Omitted. *[Note: Section 3 of Chapter II of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 44. — Omitted. *[Note: Section 4 of Chapter II of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 45. — Omitted. *[Note: Section 7 of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 46. — Omitted. *[Note: Section 9 of Chapter II of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 47. — Omitted. *[Note: Section 10 of Chapter II of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 48. — Omitted. *[Note: Section 11 of Chapter II of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 49. — Omitted. *[Note: Section 7 of Chapter III of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 50. — Omitted. *[Note: Section 10 of Chapter III of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

Section 51. — Omitted. *[Note: Section 1 of Chapter IV of [Act No. 213-1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996”](#), is hereby amended]*

CHAPTER IV: ENERGY BUREAU

Section 52. — Omitted. *[Note: Section 1.3 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 53. — Omitted. *[Note: Section 4.1 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 54. — Omitted. *[Note: Section 6.1 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 55. — Omitted. *[Note: Section 6.2 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 56. — Omitted. *[Note: Section 6.3 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 57. — Omitted. *[Note: Section 6.4 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 58. — Omitted. *[Note: Section 6.7 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 59. — Omitted. *[Note: Section 6.10 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 60. — Omitted. *[Note: Section 6.11 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 61. — Omitted. *[Note: Section 6.12 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 62. — Omitted. *[Note: Section 6.13 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 63. — Omitted. *[Note: Section 6.20 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 64. — Omitted. *[Note: Section 6.23 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 65. — Omitted. *[Note: Section 6.28 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 66. — Omitted. *[Note: Section 6.30 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 67. — Omitted. *[Note: Section 6.37 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 68. — Omitted. *[Note: Section 6.40 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 69. — Omitted. *[Note: Section 6.41 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 70. — Omitted. *[Note: Section 6.42 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 71. — Section 6.43 and 6.44 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby renumbered as Sections 6.42 and 6.43.

Section 72. — Omitted. *[Note: The renumbered Section 6.42 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#), is hereby amended]*

Section 73. — Section 7.01 is hereby repealed and Sections 7.02, 7.03, 7.04, 7.05, and 7.06 are hereby renumbered as Sections 7.01, 7.02, 7.03, 7.04, and 7.05 of [Act No. 57-2014, as amended, known as the “Puerto Rico Energy Transformation And RELIEF Act”](#).

Section 74. — Omitted. *[Note: Section 2 of [Act No. 83 of May 2, 1941, as amended, known as the “Puerto Rico Electric Power Authority Act”](#), is hereby amended]*

CHAPTER V: FINAL PROVISIONS

Section 75. — Equivalence of Concepts.

Any reference to the Commission or the Puerto Rico Energy Commission, respectively, in any law shall be construed as referring to the Energy Bureau under the Reorganization Plan of the Puerto Rico Public Service Regulatory Board.

Any reference to the Telecommunications Regulatory Board of Puerto Rico shall be construed as referring, respectively, to the Telecommunications Bureau under the Reorganization Plan of the Puerto Rico Public Service Regulatory Board.

Any reference to the Public Service Commission shall be construed as referring, respectively, to the Transport and other Services Bureau under the Reorganization Plan of the Puerto Rico Public Service Regulatory Board.

Section 76. — Conflict of Laws Provision.

If the provisions of this Act were in conflict or inconsistent with the provisions of any other laws, the provisions of this Act shall prevail. It is expressly provided, however, that this Act neither renders ineffective nor shall be construed to be inconsistent with Act No. 26-2017, as amended, known as the “Fiscal Plan Compliance Act.”

Section 77. — Injunction.

No injunction shall be issued to preclude the application of this Act or any part thereof.

Section 78. — Regulations Adopted under Previous Laws.

All regulations, orders, resolutions, circular letters, and all other administrative documents of the agencies that become Bureaus by virtue of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board and are consistent with this Act, shall remain in effect until expressly amended, supplemented, repealed, or rendered ineffective by the Board.

Section 79. — Special Provisions.

None of the provisions of this Act shall modify, alter, or invalidate any agreement, covenant, or contract duly executed by entities or instrumentalities that become Bureaus by virtue of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board and that are in effect as of the effective date of this Act.

Section 80. — Transition.

The Governor is hereby authorized to adopt transition measures as needed in order to implement the provisions of the Reorganization Plan without interrupting public services and other administrative processes of the entities that shall be part of the Department and its components.

Any actions that are necessary, appropriate, and convenient to attain the purposes of the Reorganization Plan, including, but not limited to, the revision of regulations, the establishment of their internal, programmatic, and budgetary structure, as well as the accounting structure required to carry out their fund accounting, and the relocation of offices, shall begin within a term that shall not exceed thirty (30) calendar days after the approval of this Act.

The person or committee designated by the Governor to carry out the transition set forth in this Act shall have up to one hundred and eighty (180) days after the approval of the Reorganization Plan of the Puerto Rico Public Service Regulatory Board or the approval of this Act, if it is approved on a subsequent date, to certify compliance with the transition process.

Meanwhile, administrative structures and functions may be carried out by current officials and existing structures until the completion of the transition is certified. Regulations and processes in effect shall continue in effect until the person or committee designated by the Governor for the transition modifies them in accordance with the Act, and such regulations and processes may be applied, notwithstanding any reference made to the preceding administrative structure repealed under the Reorganization Plan.

The incumbent President of the Energy Bureau, Chair of the Telecommunications Regulatory Board, and Chair of the Public Service Commission who were appointed by the Governor with the advice and consent of the Senate shall hold office until their terms of appointment expire, as established prior to the effective date of this Act. Absent an incumbent chair or president, the office shall be declared vacant and be subject to the transition and appointment process described in this Act.

Current Associate Commissioners of the Telecommunications Regulatory Board and the Public Service Commission, as well as the Director of the Independent Consumer Protection Office shall cease functions as of the approval of this Act. The Governor, with the advice and consent of the Senate, shall make the pertinent appointments to constitute the Telecommunications

Bureau, the Transport and other Public Services Bureau, and the Energy Bureau, pursuant to the provisions of this Act, within a term not to exceed thirty (30) days as of the approval of this Act. If the Governor fails to make the appointments within such term, said appointments shall be made by the Legislative Assembly of Puerto Rico.

The Presiding Officers of the legislative bodies shall have thirty (30) days from the expiration of the term granted to the Governor to submit their candidates. Each Presiding Officer shall appoint their respective candidates; however, in order for said candidates to hold office, both Houses shall approve Concurrent Resolutions to such effect.

Section 81. — Severability.

If any clause, paragraph, subparagraph, sentence, word, letter, article, provision, section, subsection, title, chapter, subchapter, heading, or part of this Act were held to be null or unconstitutional, the ruling, holding, or judgment to such effect shall not affect, impair, or invalidate the remainder of this Act. The effect of said holding shall be limited to the clause, paragraph, subparagraph, sentence, word, letter, article, provision, section, subsection, title, chapter, subchapter, heading, or part of this Act thus held to be null or unconstitutional. If the application to a person or a circumstance of any clause, paragraph, subparagraph, sentence, word, letter, article, provision, section, subsection, title, chapter, subchapter, heading, or part of this Act were held to be null or unconstitutional, the ruling, holding, or judgment to such effect shall not affect or invalidate the application of the remainder of this Act to such persons or circumstances where it may be validly applied. It is the express and unequivocal will of this Legislative Assembly that the courts enforce the provisions and application thereof to the greatest extent possible, even if it renders ineffective, nullifies, invalidates, impairs, or holds to be unconstitutional any part thereof, or even if it renders ineffective, invalidates, or holds to be unconstitutional the application thereof to any person or circumstance. The Legislative Assembly would have approved this Act regardless of any determination of severability that the Court may make.

Section 82. — Effectiveness. This Act shall take effect immediately after its approval.

Note. This compilation was prepared by the [Puerto Rico Office of Management and Budget](#) staff who have striven to ensure it is complete and accurate. However, this is not an official compilation and may not be completely free of error. It contains all amendments incorporated for reading purposes only. For accuracy and exactitude please refer to the act original text and the collection of Laws of Puerto Rico Annotated LPRA. The state links acts are property of [Legislative Services Office](#) of Puerto Rico. The federal links acts are property of [US Government Publishing Office GPO](#). Compiled by the Office of Management and Budget Library.

See also the [Original version Act](#), as approved by the Legislature of Puerto Rico.