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GUAM POWER AUTHORITY
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Emergency Application of the Guam Power Authority for an Order Under Section 202(c) of the Federal Power Act

August 4, 2026

Christopher A. Wright
Secretary of Energy
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585
Via Email: AskCR@hq.doe.gov

RE: Guam Power Authority Emergency Application for an Order Under Section 202(c) of the Federal Power Act to Maintain Grid Reliability, and Request for Coordination with USEPA Region 9 and GEPA Regarding Air Permit Compliance

Dear Secretary Wright:

Pursuant to Section 202(c) of the Federal Power Act, 16 U.S.C. § 824a(c), and the Department's implementing regulations at 10 C.F.R. Part 205, Subpart B, the Guam Power Authority ("GPA") respectfully requests that the U.S. Department of Energy ("DOE") issue an emergency order authorizing continued operation of critical generation assets on Guam's Island-Wide Power System — including the Ukudu Power Plant, owned and operated by Guam Ukudu Power, LLC ("GUP") under a 25-year Energy Conversion Agreement with GPA — for so long as the emergency described herein persists, notwithstanding operational constraints imposed by GUP's Air Pollution Control Permit No. O25-MINAPCP0720.22A. The specific relief requested, and GPA's request that DOE coordinate this order with the U.S. Environmental Protection Agency ("USEPA") and the Guam Environmental Protection Agency ("GEPA"), are set forth in Section V below.

I. Technical Statement of Emergency and Megawatt Capacity Deficit

An active generation capacity crisis exists within Guam's Island-Wide Power System ("IWPS"). This emergency has evolved since Super Typhoon Sinlaku struck Guam on April 11, 2026, and accelerated by Super Typhoon Bavi on July 6, 2026. GPA's projected evening peak demand is up to 270 MW, against a reduced capacity of potentially 169 MW of island-wide generation available, resulting in a net deficit of up to 101 MW, and the deficit is too large for temporary rental units or battery energy storage systems alone. Additionally, three simultaneous, compounding factors have driven events to a crisis:

1. **Retirement of Baseload Infrastructure:** GPA permanently retired its aging Cabras Power Plant baseload units in accordance with applicable federal environmental requirements [citation to the specific consent decree and retirement date to be confirmed by GPA prior to filing].
2. **Ukudu Steam Turbine Outage Findings**: Compounding the loss of Cabras, the 198-MW Ukudu Power Plant ("Ukudu Plant"), operated by GUP, has been unable to return to full combined-cycle operation since a scheduled steam turbine ("ST")

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maintenance outage commenced on June 23, 2026. GUP has extended this outage after a succession of independent mechanical failures.

3. **Emissions Limits of UPP Minor Source Operating Permit:** UPP operates under a synthetic minor source permit. Because of the prolonged bypass-mode operation of two UPP CTG units during the extended outage, UPP will meet the 100 ton emissions limits for NOx by Thursday, August 6, 2026. Under the existing permit, GPA would have to shut down UPP for the next 12-months.

Guam Environmental Protection Agency ("GEPA") has granted GUP a series of temporary operational variances permitting continued bypass-mode operation of multiple CTGs in simple-cycle (bypass-stack) mode without the steam turbine. Bypass-mode operation generates substantially higher per-unit NOx emissions than combined-cycle operation. UPP will meet the 100 ton emissions limits for NOx by Thursday, August 6, 2026. Without a waiver and reset of the 100-ton emissions limit, GPA faces severe operational deficits summarized below:

- **Generation Shortfall:** Without the UPP steam-cycle capacity, GPA has insufficient generation to maintain an adequate operating reserve.
- **The Megawatt Deficit:** If the entire plant must be shut down, available generation would fall significantly below peak system demand.
- **Net Capacity Gap:** The resulting shortfall would be too large to offset with temporary rental generation or battery energy storage alone, requiring GPA to implement extensive rotating power outages.

II. Requested Relief

To **close the estimated capacity deficit described in Section I** and prevent further rotating outages, GPA requests that DOE issue an emergency order directing and authorizing GUP to continue operating Ukudu's CTGs, including in simple-cycle (bypass-stack) mode and in a configuration exceeding the CTG-count and bypass-hour restrictions of Permit Condition 34(a), for so long as the emergency persists. Secondly, upon the stable operation of the UPP, GPA requests a reset of the synthetic minor source emissions. This will allow GUP to petition for a Prevention of Significant Deterioration (PSD) permit while operating the plant for the next 12-months rolling.

GPA recognizes that an order issued under Section 202(c) does not, by itself, suspend or amend UPP's obligations under the Clean Air Act or its GEPA-issued permit. Accordingly, GPA respectfully requests that DOE coordinate this order with USEPA Region 9 and GEPA, consistent with the Governor of Guam's pending July 23, 2026 letter to USEPA Region 9 requesting temporary enforcement discretion, so that generation conducted in reliance on DOE's order is not subject to enforcement action for the resulting, unavoidable exceedances of Permit Conditions 27/40 (and, if applicable, Conditions 24/39) for the duration of the emergency. GPA requests that any such order remain in effect until the Ukudu Steam Turbine is restored to reliable service, UPP is able to resume normal combined-cycle operation within its permit limits, and GPA's system regains adequate reserve margin — rather than expiring on a fixed calendar date — given the continuing uncertainty regarding the completion date of the Steam Turbine's repair. GPA further

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requests that DOE accept periodic status reports from GPA and GUP in lieu of a fixed expiration date as the mechanism for monitoring the continued necessity of this relief.

III. Supporting Documentation and Coordination with GEPA and USEPA

This Application is submitted in coordination with, and is intended to complement, the pending July 23, 2026 letter from the Governor of Guam to Mike Martucci, Acting Regional Administrator of USEPA Region 9, requesting temporary enforcement discretion and a waiver of GUP's synthetic minor permit emission limits arising from the same force majeure events described herein. GPA respectfully requests that DOE coordinate directly with USEPA Region 9 and GEPA regarding the terms and duration of any emergency order issued in response to this Application.

In further support of this Application, GPA refers DOE to, and will make available upon request: (i) GEPA's June 18, 2026 written Temporary Operational Variance approving multi-unit simple-cycle operation of UPP's combustion turbine generators; (ii) GUP's July 23, 2026 and July 30, 2026 written requests to GEPA for extension of that variance and for temporary suspension of Permit Conditions 34(a) and 40; (iii) the Governor of Guam's July 23, 2026 letter to USEPA Region 9; and (iv) GUP's contemporaneous NOx emissions projection data supporting the calculations set forth in Section II above. GPA will supplement the record with current system load, dispatch, and generation-availability data supporting the megawatt figures set forth in Section I.

IV. Conclusion

Without emergency relief that remains in effect for the duration of this crisis, widespread and recurring blackouts will continue to threaten human life, civil safety, and the strategic defense capabilities of the United States. Because the date on which the Ukudu Steam Turbine will be restored to service remains uncertain, GPA respectfully requests that DOE grant this relief on an ongoing basis tied to resolution of the emergency, subject to periodic status reporting, rather than for a fixed term, and urges the Department to act on this Application immediately.

Respectfully submitted,



John M. Benavente, P.E.
General Manager, Guam Power Authority

Enclosures: GEPA Temporary Operational Variance (June 18, 2026); GUP Extension Requests to GEPA (July 23 and July 30, 2026); Governor of Guam's Letter to USEPA Region 9 (July 23, 2026); GUP NOx Emissions Projections

CC: Governor of Guam Lourdes A. Leon Guerrero
Guam Ukudu Power, LLC (Attn: Jaesuk Han, Chief Executive Officer)
Guam Environmental Protection Agency (Attn: Michelle C.R. Lastimoza, Administrator)
U.S. EPA Region 9 (Attn: Mike Martucci, Acting Regional Administrator)