STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY

FINANCING ORDER FOR 2018-2023 STORM COSTS OF THE CONNECTICUT LIGHT AND POWER COMPANY D/B/A EVERSOURCE ENERGY	:	Docket No. 26-04-04
	:	November 18, 2026

MOTION TO ALLOW LIMITED REPLY BRIEF

The Connecticut Light and Power Company d/b/a Eversource Energy ("CL&P" or the "Company") hereby moves to request that the Public Utilities Regulatory Authority ("PURA") accept a limited reply brief in this matter, although the docket procedural schedule does not contemplate the filing of reply briefs. This motion is necessitated by the November 12, 2026, filing submitted by PURA's Office of Education, Outreach and Enforcement ("EOE"),[1] setting forth factual assertions not contained on the evidentiary record for this proceeding, including methodologies and calculations advanced by EOE for the first time on brief, while also encompassing certain procedural irregularities. Absent a reply brief, the administrative record will be incomplete and PURA will not be fully informed as to errors embedded in EOE's assertions or the Company's response to those errors. For expediency, the Company has attached its proposed reply brief to this motion.

I. LEGAL STANDARD

It is a fundamental principal that PURA must ensure the parties' rights to due process in a contested case proceeding. "Contested cases must be conducted under the contested case provisions of the UAPA. Conn. Gen. Stat. §§ 4-176e through 4-182." Docket No. 10-07-13,

[1] EOE's filing consisted of a cover letter signed by Attorney Sahi and an unsigned document entitled "Brief of the Office of Education, Outreach, and Enforcement," although there is no certification of who has prepared the brief, attorney or staff advisor.

Petition of the Connecticut Independent Utility Workers, Local 12924 and the United Steel Workers, Local 12000 Union for a Declaratory Ruling Regarding Use of Participant Status in DPUC Proceedings, Feb. 3, 2011, at 4 (citations in original). In contested case proceedings, the Uniform Administrative Procedures Act ("UAPA") provides many procedural due process protections, including that each party and the agency conducting the proceeding "shall be afforded the opportunity . . . at a hearing, to respond, to cross-examine other parties, intervenors, and witnesses, and to present evidence and argument on all issues involved." Conn. Gen. Stat. § 4-177c.

The UAPA further provides that parties and the agency shall have an opportunity to "conduct cross-examinations required for a full and true disclosure of the facts," meaning that evidence outside the evidentiary record cannot be used. Conn. Gen. Stat. § 4-178. PURA has held that "[t]hese contested case provisions exceed the minimal procedural safeguards mandated by the due process clause. Taylor v. Robinson, 171 Conn. 691 (1976); Levinson v. Board of Chiropractic Examiners, 211 Conn. 508, 531 (1989)." Docket No. 10-07-13, Petition of the Connecticut Independent Utility Workers, Local 12924 and the United Steel Workers, Local 12000 Union for a Declaratory Ruling Regarding Use of Participant Status in DPUC Proceedings, Feb. 3, 2011, at 4 (citations in original); see also Docket No. 08-06-10, DPUC Review of Overearnings for Connecticut Natural Gas Corporation, Aug. 6, 2008, at 3 (company due process rights in a rate case are substantial).

Consistent with the UAPA, PURA's regulations allow parties the opportunity to file proposed findings of fact and briefs. R.C.S.A. § 16-1-42 states "[a]t the conclusion of the presentation of evidence in any hearing the commissioners or the presiding officer shall fix a time

within which any party may file proposed findings of facts and briefs."[2] Although reply briefs are not expressly required by the PURA regulations, PURA has broad discretion to allow reply briefs to ensure a complete administrative record on positions advanced by parties, and typically provides for reply briefs in contested cases.

II. REQUEST TO FILE LIMITED REPLY BRIEF

Under the current procedural schedule, parties were provided the opportunity to file briefs on November 12, 2026. On that date, PURA received briefs from CL&P, the Office of the State Treasurer ("OTT"), the Office of Consumer Counsel ("OCC"), EOE, and the Connecticut Industrial Energy Consumers ("CIEC"). The current schedule does not contemplate the filing of reply briefs.

On November 12, 2026, EOE submitted the EOE Filing, claiming that "Eversource's proposal to credit its ratepayers with $54 million of accumulated deferred income taxes (ADIT) fails to reimburse Eversource's ratepayers with the amount required by law," and asserts two principal reasons for this claim:

(1) "EOE believes the correct amount to credit to customers, based on the amounts currently reflected in Eversource's filing, is approximately $129.28 million."

(2) "In the alternative, EOE believes that, at minimum, Eversource's proposal should be adjusted to reflect the historical benefits of ADIT from 2019 to the present," which it calculates to be $18 million.[3]

---

[2] Several provisions of the UAPA contemplate the filing of briefs. See, e.g., Conn. Gen. Stat. §§ 4-179 ("When, in an agency proceeding, a majority of the members of the agency who are to render the final decision have not heard the matter or read the record, the decision, if adverse to a party, shall not be rendered until a proposed final decision is served upon the parties, and an opportunity is afforded to each party adversely affected to file exceptions and present briefs and oral argument to the members of the agency who are to render the final decision"), 4-180 ("Each agency . . . in all contested cases, shall render a final decision within ninety days following the close of evidence or the due date for the filing of briefs . . . .").

[3] EOE Filing, Br. at 1, 4-5 (emphasis added).

EOE did not present a witness or any other evidence during the hearing to support its calculation of "a $129.28 million net benefit of ADIT," nor to support its assertions that PURA should calculate "the historical ADIT benefits the Company received starting in 2019."[4] These assertions (including EOE's methodologies and calculations) were revealed by EOE for the first time in the EOE Filing, depriving parties of an opportunity to issue discovery or cross-examine an EOE witness on these assertions, or to provide rebuttal evidence or other due process.

For these reasons, CL&P requests an opportunity to file a limited reply brief to address the assertions by EOE and respond to its methodologies and calculations, which are severely flawed and inconsistent with the evidence in the record. The EOE Filing is founded on extra-record assertions that include methodologies and calculations advanced by EOE for the first time on brief, and procedural irregularities that necessitate a response by the Company. Absent a reply brief, the administrative record will be incomplete, and PURA will not be fully informed as to EOE's assertions and the Company's response to those assertions.

Lastly, CL&P notes that although it disagrees with certain claims by OCC and CIEC in their briefs, CL&P does not request permission to file a reply to those parties as CL&P's initial brief anticipated and addressed those claims. Thus, for expediency and administrative efficiency, CL&P has limited this motion to allow a reply to EOE only.[5]

---

[4] EOE Filing, Br. at 3-4.

[5] The Company supports the positions of OTT as set forth in OTT's November 12, 2026, brief.

RESPECTFULLY SUBMITTED,

THE CONNECTICUT LIGHT AND POWER COMPANY d/b/a EVERSOURCE ENERGY

By: *Vincent P. Pace*

Vincent P. Pace, Esq.
Jennifer Galiette, Esq.
Eversource Energy
P.O. Box 270
Hartford, CT 06410-0270
Phone: (860) 665-5426
vincent.pace@eversource.com
jennifer.galiette@eversource.com



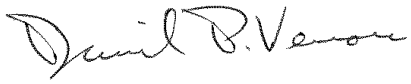
By: _____

Daniel P. Venora, Esq.
Cheryl M. Kimball, Esq.
Keegan Werlin LLP
1 Liberty Square, 3rd Fl.
New Britain, CT 06051
Phone: (617) 951-1400
dvenora@keeganwerlin.com
ckimball@keeganwerlin.com

Its Attorneys

CERTIFICATION

This is to certify that on November 18, 2026, the foregoing document was filed with the Public Utilities Regulatory Authority, and copies of the foregoing document were served upon each person designated on the PURA's official service list in this proceeding in accordance with R.C.S.A. § 16-1-15.



Daniel P. Venora, Esq.