Date Filed: November 02, 2026

Witness: Counsel
Request from: ALLCO

Question:

(The Load Settlement Report and EL26-5 — facts and costs.) Without regard to any privilege claimed for the report itself: (a) state whether the Internal Audit review of the ISO-NE load settlement process that the Company identified in ALLCO-065, through ALLCO-067 (requested April 25, 2025; engagement memorandum May 19, 2025; final report January 7, 2026) examined the Company's Connecticut Metering Domain, the NSTAR Metering Domains, or both, and whether it examined the Omni-related defects at issue in EL26-5; (b) state whether the Company's response to ALLCO-068, — that EL26-5 is the only litigation and that it concerns load settlement "solely in Massachusetts" — remains accurate in light of the fact that Eversource Energy, the parent whose service-company costs are allocated to the Company, is a named respondent, and identify every other complaint, dispute, or proceeding since January 1, 2024 concerning load settlement data reported by any Eversource electric distribution company; (c) state the total cost incurred by Eversource Energy, ESC, NSTAR, and the Company in connection with EL26-5 and the related reconciliation work described in Eversource's March 6, 2026 answer (dedicated processing environment; rerunning settlement data; integrity checks; meetings with the Massachusetts Department of Energy Resources), including outside counsel, consultants, vendor remediation, and internal labor, and the portion of each charged or allocated to the Company, with FERC account and schedule references; and (d) state whether any cost of remediating load settlement defects, of resettling Massachusetts invoices, or of defending EL26-5, is included in the Test Year, Test Year Pro Forma, or Rate Year cost of service of the Company, directly or through ESC allocation, and if so the amount and the basis for charging it to Connecticut customers.Interconnection Applications Referred to ISO New England for Transmission-Level Review.

Response:

Eversource objects to this request. The requested information regarding metering domains and load settlements is not probative of any material or disputed issue relevant to the Company's application in this proceeding, which PURA is conducting as a general distribution rate proceeding pursuant to Conn. Gen. Stat. § 16-19, to amend the Company's base-rate schedules. Absent such a connection, the requested information is not reasonably calculated to advance the evidentiary record upon which PURA must base its decision.

The purpose of discovery is to provide PURA, the parties, and intervenors with access to relevant, probative information necessary to develop a complete and accurate record -- not to allow

repetitive or irrelevant requests that divert time and resources from that objective. By statute, administrative agencies must exclude "irrelevant, immaterial or unduly repetitious evidence." Conn. Gen. Stat. § 4-178(1); see also Conn. Agencies Regs. § 16-1-38(a). Connecticut judicial precedent explains that evidence is relevant only if it has a tendency to establish the existence of a material fact. United Technologies Corp. v Commission on Human Rights & Opportunities, 72 Conn. App. 212, 229 (2002). Discovery must advance the efficiency of the proceeding and provide the factual foundation upon which an agency decision may rely. Therefore, a party is required to produce discovery documents only if they are "material and necessary to [an] action." Dotson v. Hartford Roman Catholic Diocesan Corp., No. CV106012742S, 2011 WL 1021745, (Conn. Super. Ct. Feb. 17, 2011) (citing, Berger v. Cuomo, 230 Conn. 1, 7 (1994)); see also Conn. Gen. Stat. § 4-177c(a)(1) (permitting discovery of "relevant and material records, papers and documents[.]").

Additionally, discovery "does not afford an open invitation to delve into [CL&P's] affairs". J. Pub. Co. v. Hartford Courant Co., 261 Conn. 673, 681 (2002). Allco "must be able to demonstrate good faith as well as probable cause that the information sought is both material and necessary" to this rate case. Id. Practice Book § 13-2, which defines the scope of discovery, provides in relevant part that a party may only seek discovery of nonprivileged information that is "material to the subject matter involved in the pending action . . . ." "It is axiomatic that [e]vidence is admissible only to prove material facts, that is to say, those facts directly in issue or those probative of matters in issue; ***evidence offered to prove other facts is immaterial***." Salmon v. Dept. of Public Health & Addiction Services, 259 Conn. 288, 316 (2002) (internal quotation marks omitted; emphasis added.)

Further, discovery may not be used to conduct an unrestricted search for information. As the Connecticut Supreme Court has explained, a party "should not be allowed to indulge a hope that a thorough ransacking of any information and material which . . . [CL&P] may possess would turn up evidence helpful to [his] case". J. Pub. Co. v. Hartford Courant Co., 261 Conn. at 681. Simiarly, "[i]nterrogatories should not be used to . . . permit a party to go on a fishing expedition." Mfr.'s Advert., Inc. v. Pancoast, 4 Conn. Cir. Ct. 668, 670 (1967) (internal quotation marks omitted).

Here, Allco's request pertains to load settlements and metering domains, which are not relevant to PURA's evaluation of either the Company's application as a whole or its proposed revenue requirement. Thus, the information requested in this interrogatory is not relevant or material to the Company's rate application as it does not advance the factual foundation upon which PURA's decision will rely. Office of Consumer Counsel v. Department of Public Utility Control, 44 Conn. Supp. 21, 26-27 (1994). As the information is irrelevant and immaterial, this discovery must be excluded. See General Statutes § 4-178(1); see also Conn. Agencies Regs. § 16-1-38(a).

In addition, the statutory 350-day timeframe for issuing a final decision on the Company's application, coupled with the volume of interrogatories issued, strongly weighs against devoting

the time and resources of the parties and PURA to discovery that does not advance the resolution of this proceeding. Requiring the Company to collect, review, and produce information that has not been shown to be material or relevant would impose unnecessary administrative burdens and divert resources from the important issues PURA must evaluate and resolve within the statutory timeframe. Accordingly, in the interest of the orderly and efficient conduct of this proceeding, Eversource respectfully requests that this objection be sustained.