STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY

October 30, 2026
In reply, please refer to:
Docket No. 26-05-10
Motion No. 86

Vincent P. Pace
Daniel T. Crisp
Lauren H. Bidra
Eversource Energy
P.O. Box 270
Hartford, CT 06410-0270

Sarah A. Pardee
Keegan Werlin LLP
1 Liberty Square, 3rd Fl.
New Britain, CT 06051

Re: Docket No. 26-05-10 – Application of The Connecticut Light and Power Company d/b/a Eversource Energy to Amend Its Rate Schedules

Dear Attorneys Pace, Crisp, Bidra, and Pardee:

On October 14, 2026, The Connecticut Light and Power Company d/b/a Eversource Energy (CL&P or Company) filed a motion (Motion No. 86) and supporting affidavit (Affidavit) with the Public Utilities Regulatory Authority (Authority) requesting that the Authority provide protective treatment to the redacted portions of responses to the following interrogatories: OCC-753 Attachment 3, OCC-767 Attachment 1, OCC-780 Attachment 2, OCC-792 Attachments 1 through 5, OCC-813 Attachment 1, and OCC-823 Attachment 1. Specifically, the Company asserts the redacted information is exempt from public disclosure under General Statutes §§ 1-210(b)(2) (, 1-210(b)(19) and (20), 1-210(b)(5)(B), 1-210(b)(5)(A), and 18 C.F.R. § 388.113. See Motion No. 86. Motion No. 86 is granted in part and denied in part.

Under the Freedom of Information Act (FOIA), the general rule is that "all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation," are public records. General Statutes § 1-210(a). Certain records are exempt from mandatory public disclosure by FOIA, however.[1] See

[1] FOIA exemptions are permissive, not mandatory, and agencies may elect to disclose information that is subject to an exemption. See Opinions, Conn. Atty. Gen. No. 2005-026 (October 14, 2005), pp. 1, 3;

General Statutes § 1-210(b). The burden of establishing an exemption from disclosure under FOIA rests on the party claiming the exemption. New Haven v. Freedom of Information Commission, 205 Conn. 767, 775 (1988). A claimant must "provide more than conclusory language, generalized allegations or mere arguments of counsel. Rather, a sufficiently detailed record must reflect the reasons why an exemption applies to the materials requested." Id. at 776.

Trade secrets and confidential commercial or financial information may be exempt from disclosure under FOIA. General Statutes § 1-210(b)(5). Trade secrets are defined as "information, including formulas, patterns, compilations, programs, devices, methods, techniques, processes, drawings, cost data, customer lists, film or television scripts or detailed production budgets that (i) derive independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from their disclosure or use, and (ii) are the subject of efforts that are reasonable under the circumstances to maintain secrecy." General Statutes § 1-210(b)(5)(A). "Commercial or financial information given in confidence, not required by statute" is not required to be disclosed under FOIA. General Statutes § 1-210(b)(5)(B).

Disclosure is also not required under FOIA for personnel, medical, and similar files, "the disclosure of which would constitute an invasion of personal privacy." General Statutes § 1-210(b)(2). "When a claim for exemption is based upon § 1-210(b)(2), the person claiming the exemption must meet a twofold burden of proof. First, the person claiming the exemption must establish that the files are personnel, medical or similar files. . . . Second, the person claiming the exemption under § 1-210(b)(2) must also prove that disclosure of the files would constitute an invasion of personal privacy." Rocque v. Freedom of Information Commission, 255 Conn. 651, 661 (2001). In addition, the exemption for personal privacy applies "only when the information sought does not pertain to legitimate matters of public concern, and [disclosure] is highly offensive to a reasonable person." Dept. of Children & Families v. Freedom of Information Commission, 48 Conn. App. 467, 472 (1998).

Records which might pose a safety risk if they are disclosed may be exempt from disclosure under FOIA. Records may be protected from disclosure under FOIA "when there are reasonable grounds to believe disclosure may result in a safety risk, including the risk of harm to any person, any government-owned or leased institution or facility. General Statutes § 1-210 (b)(19). "As used in this section, 'government-owned or leased institution or facility' includes, but is not limited to, an institution or facility owned or leased by a public service company." General Statutes § 1-210(b)(19). Additionally, nothing in the Freedom of Information Act shall be construed to require disclosure of "[r]ecords of

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Massachusetts Mutual Life Ins. Co. v. State, No. CV054014549, 2005 WL 2277264 at *4 (Conn. Super. Ct. Aug. 25, 2005) ("exemptions listed at General Statutes § 1-210(b) . . . are permissive"); State Office of the Attorney General v. Freedom of Information Commission, Superior Court, No. CV094021768S, 2011 WL 522872 at *6 (Conn. Super. Ct. Jan. 20, 2011) (discretion exists for disclosures of information "controlled by the permissive language 'nothing . . . shall be construed to require disclosure of'").

standards, procedures, processes, software and codes, not otherwise available to the public, the disclosure of which would compromise the security or integrity of an information technology system." General Statutes § 1-210(b)(20).

Further, Title 18, Section 388.113(c)(1) of the Code of Federal Regulations (C.F.R.) exempts both critical electric infrastructure information and critical energy infrastructure information (CEII) from public disclosure and, in relevant part, prohibits such information from being made available by any state. CEII is defined, in relevant part, as specific engineering, vulnerability, or detailed design information regarding existing critical infrastructure that 1) relates details about the production, generation, transportation, transmission, or distribution of energy; 2) could be useful to a person planning an attack on critical infrastructure; 3) is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. § 552; and 4) does not simply give the general location of the critical infrastructure. 18 C.F.R. § 388.113(c)(2).

OCC-823, Attachment 1 contains insurance coverages, sub-limits, and retentions. Motion No. 86, p. 5. The Companies state that the pricing and negotiated terms from third-party vendors are "confidential and proprietary" and is provided with an expectation of privacy to ensure competitive market pricing Id. The Company asserts that this information, if publicly disclosed, "would adversely impact third parties in pending and future negotiations to perform like services for other companies." Id. The Authority grants the request to protect the redacted portions of OCC-823, Attachment 1 as the redacted information qualifies as commercial or financial information given in confidence, not required by statute. See General Statutes § 1-210(b)(5)(B); see also Procedural Order Regarding Protected Materials, September 17, 2026, Paragraph 6(b) (Revised Procedural Order).

The Company requests confidential treatment of information responsive to OCC-792, Attachment 1 through Attachment 5 and OCC-813, Attachment 1 as it contains sensitive critical energy infrastructure information. Motion No. 86, p. 7. The Company asserts that disclosure of such information could compromise the security and safety of critical infrastructure and create potential safety and security risks. Id. The Authority grants the request to protect the redacted portions of OCC-792 and OCC-813 pursuant to the Revised Procedural Order, Paragraph 6(d) and General Statutes § 1-210(b)(19).

The Company represents that its response to OCC-767 contains some information on cybersecurity policies, including describing the Company's specific cybersecurity measures that it does not disclose publicly. Motion No. 86, p. 3. The Company asserts that disclosure of this information could provide "bad actors" with the ability to "disrupt and impact the Company's systems and the safe and reliable service" in Connecticut. Id., pp. 3-4. The Authority grants the request to protect the redacted portions of OCC-792 and OCC-813 pursuant to the Revised Procedural Order, Paragraph 6(e) and General Statutes § 1-210(b)(20).

The Company asserts that OCC-753, Attachment 3, OCC-780, Attachment 2 and OCC-823, Attachment 1 contain "contain names and contact information for individual Eversource employee." Motion No. 86, p. 2. Based on a review of OCC-753, Attachment 3 and OCC-823, Attachment 1, the Authority finds that these documents contain employee information that is exempt from public disclosure pursuant to General Statutes § 1-210(b)(2), and the Revised Procedural Order, Paragraph 6(f).

However, the Authority finds the information contained in OCC-780, Attachment 2 is not exempt from public disclosure. The Company withheld the names of certain executives; however, their respective titles[2] remain pubic, and the identities of the individuals holding those positions are already publicly known and available in the public domain, and disclosure of this information is not "highly offensive to a reasonable person." See Dept. of Children & Families v. Freedom of Information Commission, 48 Conn. App. 467, 472 (1998). Additionally, since the individuals' identities can be readily discerned from the disclosed positions identified, the Company's assertion that disclosure of the employee names, signatures, and contact information could heighten security risks by increasing opportunities for online fraud is without merit. Motion No. 86, p. 2.

Based on a review of the interrogatory responses, Motion No. 86, and the Affidavit, the Authority finds that the redacted portions of responses to OCC-753, Attachment 3, OCC-767, Attachment 1, OCC-792, Attachments 1 through 5, OCC-813, Attachment 1, and OCC-823 Attachment 1 are exempt from public disclosure as discussed herein. However, the individual names in response to OCC-780, Attachment 2 are not exempt from public disclosure under General Statutes § 1-210(b)(2), and therefore, the Company is required to refile an unredacted document in accordance with this ruling on or before November 6, 2026.[3]

By the following commissioner,



Thomas H. Wiehl
Chairman

cc: Service List

[2] The Company titles are President & Chief Operating Officer, Chairman and Chief Executive Officer, Secretary, and Regulatory Affairs.

[3] This ruling is being issued by the commissioner indicated. A motion for full panel review of this ruling by the commissioners assigned to this docket may be filed within 14 days of this ruling.