Date Filed: November 02, 2026

Witness: Counsel
Request from: ALLCO

Question:

(Annual coincident peak contribution and capacity requirements.) For each calendar year 2020 through 2025, state in native format: (a) the date and hour of the ISO-New England system-wide annual peak load used to determine capacity requirements for the following Capacity Commitment Period, and the system-wide peak load (MW) at that hour; (b) the total load of the Company's Metering Domain at that hour as reported by the Company to ISO-New England, and the load at that hour of each Load Asset in the Metering Domain, identified by load-serving entity category (Standard Service, Last Resort Service, each competitive supplier, which may be anonymized other than by category); (c) the Capacity Load Obligation (MW) of the Standard Service and Last Resort Service Load Assets for each Capacity Commitment Period from 2021–2022 through 2026–2027, the Forward Capacity Market clearing price applicable to the Connecticut load zone or Rest-of-Pool for each period, and the capacity cost ($) embedded in the Standard Service and Last Resort Service rates for each period; (d) whether the Company, as the entity that procures Standard Service and Last Resort Service supply, receives from its wholesale suppliers any accounting of the capacity cost component of their bids, and if so produce it for the most recent solicitation; and (e) if the Company contends that it does not possess the values in (a) through (c), identify the person at Eversource Energy Service Company or elsewhere who reports Metering Domain loads to ISO-New England and who receives the Capacity Load Obligation reports, and produce the reports for the Test Year.

Response:

Eversource objects to this request. The overly broad, unduly burdensome, and repetitive request concerning the mechanics of the wholesale energy market and the manner in which the electric system operates, 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 overly broad, unduly burdensome, and repetitive request concerning the mechanics of the wholesale energy market and the manner in which the electric system operates is 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.