# STATE OF CONNECTICUT
## PUBLIC UTILITIES REGULATORY AUTHORITY

November 2, 2026
In reply, please refer to:
Docket No. 26-05-10
Motion Nos. 84, 99

Thomas Melone, Esq.
Allco Finance Limited
777 West Putnam Avenue, Suite 300
Greenwich, CT 06830

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

Dear Attorney Melone:

Over the past several weeks, Allco Finance Limited (Allco) and The Connecticut Light and Power Company d/b/a Eversource Energy (Company or Eversource) have engaged in a discovery dispute through a series of motions, objections, and supplements. The Public Utilities Regulatory Authority (Authority or PURA) finds that neither entity has provided sufficiently detailed information to demonstrate the relevance (or lack thereof) of the requested information or the applicability of a cognizable privilege. Accordingly, the Authority declines to rule on the motions and directs Allco and Eversource to submit additional information, as specified below, in support of their respective claims.[1] The Authority also encourages and expects Allco and Eversource to engage in good faith efforts to resolve such disputes to the extent possible.[2]

The current dispute is summarized as follows:

On October 13, 2026, Allco submitted a motion (Motion No. 84) to the Authority. In Motion No. 84, Allco requests that the Authority order Eversource to provide additional responses to interrogatories issued by Allco in this proceeding. Motion No. 84, pp. 1–2. Allco requests that the Authority:

> (1) overrule the Company's federal litigation objection as to every Allco interrogatory in which it has been or may be interposed, and direct that it not be repeated; (2) overrule the "Allco-specific" objection as to ALLCO-101, -102, -104, -105, -106, -107, -108, -110, -111, -112, -113, -120, -122, -126, -127, -128, -132, and -135; (3) order complete, data-inclusive responses to ALLCO-002, -004, -005, -007, -017, -018, -059, -060, and -064 and to each

[1] This ruling is being issued by the undersigned. 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.

[2] See General Statutes § 4-177a(d) ("The presiding offer may further restrict the participation of an intervenor in the proceedings . . . so as to promote the orderly conduct of the proceedings").

> interrogatory listed in item (2) within five business days of the ruling, in native format where schedules are requested — including the annual collection amounts, liability balances and accounts, refund aging schedule, five-year pending-application list, 2026 PowerClerk execution-date data, the loader components and rates, the ALLCO-059 project-level schedule (or a sworn statement of why it cannot be produced from the work-order and Account 252500 records), the five subparts of ALLCO-060 as written, and the ALLCO-064 DG/QF and loader-attributable shares; (4) in the alternative as to any interrogatory the Authority deems Allco-specific, order the Company to answer it as to all other interconnection customers; (5) provide that no further extensions of time will be granted with respect to these sets; (6) grant Allco leave to supplement its pre-filed testimony within ten days of receiving any response compelled after October 21, 2026; and (7) grant such other relief as is just.

Motion No. 84, pp. 8–9.

Eversource filed an objection to Motion No. 84 (Motion No. 84 Objection) on October 20, 2026, requesting that PURA deny Allco's motion and direct Allco to comply with the terms of a settlement accepted in Docket No. 16-03-08RE01, Petition of Windham Solar LLC for Approval of a Power Purchase Agreement Between Windham Solar LLC and The Connecticut Light and Power Company d/b/a Eversource Energy – Voluntary Remand (2021 Settlement Agreement). Motion No. 84 Objection, p. 1. Eversource argues that the Authority approved the Settlement Agreement, which provided that "three companies owned by or affiliated with Allco" "agreed 'that ***any*** dispute over "overheads" and ***any*** other interconnection disputes arising out of or in connection with ***any*** Distribution Interconnection Agreement will follow the dispute resolution process in such Distribution Interconnection Agreement which shall be resolution by [PURA] pursuant to a petition for declaratory ruling.'" Id., pp. 1–2 (citing section 3(d) of the 2021 Settlement Agreement). Eversource argues that Allco's participation in this docket amounts to litigating its dispute with Eversource "over Eversource's charging of overheads and other interconnection-related disputes, in violation of the plain terms of the [2021] Settlement Agreement." Motion No. 84 Objection, p. 2. Additionally, Eversource argues that Allco has filed a complaint in federal court about the same dispute, which Eversource alleges is a violation of the 2021 Settlement Agreement. Motion No. 84 Objection, p. 2.

Eversource also argues that the Authority should deny Motion No. 84 "as an impermissible 'end run' around the stay of discovery" in federal court. Id., p. 3. Eversource states that it "will not divulge employee names to Allco in the Company's rate case proceeding so that Allco can decide whether it wants to: amend the Complaint to include these employees as parties to Allco's Federal Case and/or depose these employees when and if the stay of discovery in the Federal Case is lifted." Id., p. 4. Furthermore, Eversource states that with respect to a number of "interrogatories, even if an Allco discovery request seeks information on all interconnection projects, including Allco-specific projects, over a certain timeframe, it does not change the fact that the information is being sought to support Allco's claims in its Federal Case." Id., p. 4.

Eversource argues that "Allco's Motion No. 84 should be denied because Allco must not be allowed to conduct discovery in the Company's rate case proceeding to support its forthcoming objection to Eversource's Motion to Dismiss in the Federal Case, nor for any claims that may survive dismissal." Motion No. 84 Objection, p. 5.

Finally, Eversource argues:

> Eversource has responded in good faith to Allco's interrogatories on topics that are: (1) reasonably within scope of the proceeding; and (2) not being litigated in Allco's Federal Case. Eversource has also responded in good faith (while also objecting) to Allco's interrogatories on topics that are: (1) outside the scope of the proceeding; and (2) germane to Allco's business interests but not related to its Federal Case. Eversource intends to continue to respond in good faith to such interrogatories, subject to any further direction from PURA.

Motion No. 84 Objection, p. 5. Eversource states that it "has only responded to these interrogatories to the extent that, in the reasonable judgment of the Company and/or its outside counsel, the response as submitted will not prejudice Eversource's defense in Allco's Federal Case against the Company." Id.

On October 22, 2026, Allco filed a supplement to Motion No. 84 (Allco Supplement 1) responding to the Motion No. 84 Objection. Allco argues that Eversource does not raise cognizable discovery objections and that Eversource asks the Authority to penalize Allco for its participation in this proceeding. Allco Supplement 1, p. 1. Allco argues (1) that the 2021 Settlement Agreement does not bar discovery in a rate case and that "the Authority has already so ruled," (2) the 2021 Settlement Agreement does not address the issues under review in this proceeding, (3) the federal court's stay of discovery is not applicable to this proceeding, (4) Eversource's "Allco-specific" and "employee name" objections are not cognizable claims of privilege, and (5) the information sought is relevant to this proceeding. Allco Supplement 1, pp. 1–11.

On October 23, 2026, Allco submitted a motion (Motion No. 99) to the Authority, requesting that the Authority:

> (1) extend the ruling sought in the October 13 Motion to [fourteen interrogatory responses filed] October 15–21 . . . (2) overrule the "outside the scope" objection, which the Company interposed in ALLCO-088 and repeated in ALLCO-152, (3) order complete responses to the thirteen deficient interrogatories and to subpart (d) of ALLCO-150, and (4) grant Allco leave to supplement the pre-filed testimony it filed on October 21, 2026, which, because of the state of the Company's responses, is confined to return on equity.

Motion No. 99, pp. 1–2.[3]

[3] A copy of Motion No. 99 was simultaneously filed by Allco as a supplement to Motion No. 84.

On October 27, 2026, Eversource filed a supplement to its objection to Motion No. 84 (Eversource Supplement), requesting that the Authority:

> issue an order denying Allco's Motion No. 84 and requiring Allco to comply with the terms of the in-force 2021 Settlement Agreement. Eversource also requests that PURA provide Allco with guidance regarding the permissible scope of discovery and the parties' obligations to conduct discovery in a reasonable and orderly manner, by having PURA's ruling on Motion No. 84 state that: "Allco must limit discovery to subject matter that is material and necessary to the adjudication of the distribution rate amendment application filed by Eversource; and halt issuing interrogatories that are repetitive, cumulative and overbroad; seek data that is protected by privilege; and/or are directed primarily toward developing evidence for use in another lawsuit."

Eversource Supplement, p. 1.

Along with the Eversource Supplement, the Company included two attachments, Attachment 1: Duplicative or Substantially Similar Interrogatories Propounded by Allco (Eversource Supplement, Att. 1), and Attachment 2: Examples of Interrogatories Propounded by ALLCO that are Outside the Scope of this Proceeding (Other than Dispute Related Interrogatories) (Eversource Supplement, Att. 2). The attachments provide examples of duplicative or irrelevant interrogatories, but it is unclear whether they contain an exhaustive list.

On October 30, 2026, the Company filed a response to Motion No. 99 (Motion No. 99 Objection), objecting to the relief sought by Allco in Motion No. 99. Eversource cites General Statutes § 4-178, arguing:

> PURA "shall, as a matter of policy, provide for the exclusion of irrelevant, immaterial or unduly repetitious evidence." Allco's requested relief is simply proof positive that Allco has exceeded all reasonable parameters for the conduct of an administrative proceeding, and therefore now is an appropriate time for PURA to issue guidance preventing Allco from continuing to conduct unnecessary and burdensome discovery on issues that are irrelevant, immaterial and outside the scope of this proceeding.

Motion No. 99 Objection, p. 2. Eversource argues that it "is required to produce discovery documents only if they are "material and necessary to [an] action," which these questions fail to achieve." Id., pp. 3–4 (citing, inter alia, Office of Consumer Counsel v. Department of Public Utility Control, 44 Conn. Supp. 21, 26–27 (1994), "(explaining that information sought through discovery must be material and must advance the factual foundation upon which PURA's decision will rely)"). Eversource also cites two interrogatories as examples and argues that "Allco has repeatedly sought to have the Company expend its resources on questions of this type that have no bearing on any decision that PURA will make in this proceeding." Id., pp. 2–3. Eversource argues that, even if the discovery requests are

relevant, many are "unduly repetitive or cumulative, overbroad, protected by privilege, or directed primarily toward developing evidence for use in another lawsuit."[4] Id., p. 4.

As stated above, the Authority declines to rule on Motion Nos. 84 and 99 without further input from the parties. First, the Authority is not persuaded by Eversource's argument that the 2021 Settlement Agreement prevents Allco from issuing interrogatories on any topic related to the 2021 Settlement Agreement in this proceeding. The provision cited by Eversource provides a method by which a dispute arising from a distribution interconnection agreement can be resolved. The 2021 Settlement Agreement does not expressly or impliedly prohibit Allco from participating in dockets in which Allco is an intervenor, particularly where the docket relates to setting future rates for a utility. Additionally, Eversource's representation that PURA is a party to the 2021 Settlement Agreement is incorrect. PURA was not involved in the negotiation of the settlement, nor was it a signatory to the settlement.[5]

Additionally, the UAPA does not compel the exclusion of relevant, non-privileged information. In a contested case, "the agency shall, as a matter of policy, provide for the exclusion of irrelevant, immaterial or unduly repetitious evidence [and] agencies shall give effect to the rules of privilege recognized by law." General Statutes § 4-178. The Authority's regulations also state that "[a]ny oral or documentary evidence may be received, but the presiding officer shall, as a matter of policy, exclude irrelevant, immaterial or unduly repetitious evidence." Conn. Agencies Regs. § 16-1-38(a). Additionally, the "presiding officer shall give effect to the rules of privilege recognized by law in Connecticut." Id. Here, Eversource asserts that the requested information should be excluded because the information may prejudice the Company in pending federal litigation. However, the evidentiary rules do not compel the exclusion of evidence based on potential impact on the parties' concurrent or future litigation interests. Potential harm to Eversource's position in federal court is not a cognizable basis for excluding otherwise admissible evidence, and Eversource has cited no authority to the contrary. Instead, Eversource must assert a recognized privileged or demonstrate that the information is irrelevant.[6]

Accordingly, to allow the Authority to properly assess the relevance of the requested information and the applicability of any privilege, Eversource and Allco must file the information contained in Table 1 and Table 2 by November 12, 2026.

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[4] Eversource also refers to a proceeding in another jurisdiction, in which it alleges that Allco unsuccessfully sought to compel discovery. Motion No. 99 Objection, pp. 4–5. The facts of that evidentiary dispute are unrelated to the facts in this proceeding, and the Authority declines to consider them.

[5] See Eversource Objection, p. 3 (discussing Allco allegedly "repeatedly breaching the terms of the PURA-approved Settlement Agreement to which PURA is a party"). Counsel for Eversource should clarify or correct the representation regarding PURA being a party.

[6] In the Motion No. 99 Objection, the Company argues that discovery should be limited to documents that are "material and necessary to [an] action." Id., pp. 3–4. However, the case cited by the Company does not support that interpretation and, instead, affirms that "it is not grounds for objection that the information or documents sought through discovery will be inadmissible at the hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence." Office of Consumer Counsel v. Department of Public Utility Control, 44 Conn. Supp. 26–27 (emphasis added).

Specifically, Eversource must provide a table containing the following information with respect to each interrogatory or part of an interrogatory to which it has posed an objection:

**Table 1: Eversource Objections**

| Interrogatory No. | Subpart (if applicable) | Information Sought | Objection Type[7] | Legal Authority |
|---|---|---|---|---|
| | | | | |

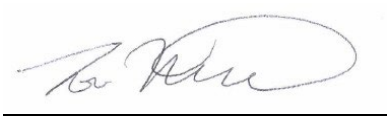
Similarly, Allco must provide a table containing the following information with respect to each interrogatory or part of an interrogatory it seeks to compel an answer:

**Table 2: Allco Offer of Proof**

| Interrogatory No. | Subpart (if applicable) | Information Sought | Offer of Proof | Description of Relevance |
|---|---|---|---|---|
| | | | | |

Upon receipt of this supplemental information, the Authority will consider Motion Nos. 84 and 99.

By the following commissioner,



Thomas H. Wiehl
Chairman

cc: Service List

[7] For example, objection type might be relevance, materiality, repetition, or privilege.