Date Filed: November 03, 2026

Witness: Counsel
Request from: ALLCO

Question:
(Queue position on the Somers/Bilton circuits.) With respect to the distribution circuit(s) and substation serving the Bilton Solar (LREC9-3045), Point Solar (LREC9-3058), and Bilton cluster (LEG-22750, LEG-22751, LEG-22752) projects in Somers, state, in native format, for every interconnection application of 50 kW or more received by the Company for a facility on the same circuit(s) or substation from January 1, 2015 to the present:

(a) the PowerClerk or legacy application identifier, applicant (which may be anonymized other than for the Connecticut Green Bank, its affiliates, and projects financed or owned through Green Bank programs, and other than Allco and its affiliates), nameplate capacity, and date-stamp assigned under Guidelines § 2.6; (b) the dates of each study, Contingent Approval, interconnection-agreement issuance, execution by the Company, construction start, and Permission to Operate; (c) the hosting capacity of the circuit and substation as of each such date, and the upgrade cost assigned to each application; (d) each instance in which an application with a later date-stamp than an Allco-affiliate application received a study result, an interconnection agreement, or Permission to Operate before the Allco-affiliate application, and the reason; (e) whether any Green Bank-affiliated or Green Bank-financed project on those circuits was processed under a program, agreement, or priority not available to other applicants, identifying it; and (f) the person(s) who made each sequencing decision.

Response:

Eversource objects to this request. Allco's overly broad, unduly burdensome, and repetitive request concerning third-party interconnection applications and specific circuit information 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. Similarly, "[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 third-party interconnection applications and specific circuit information 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.