STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY

RE:	**APPLICATION OF CL&P DBA EVERSOURCE ENERGY TO AMEND ITS RATE SCHEDULES**	**:**	**DOCKET NO. 26-05-10**
		:	
		:	**NOVEMBER 20, 2026**

OBJECTION OF THE OFFICE OF CONSUMER COUNSEL TO MOTION NO. 117

The Office of Consumer Counsel ("OCC") respectfully submits to the Public Utilities Regulatory Authority ("Authority") this Objection to Motion No. 117 ("Motion"). In the Motion, the Connecticut Light and Power Company d/b/a Eversource Energy ("Eversource") seeks to amend its rate application to admit "capital project documentation substantiating post-test year plant additions." Motion, p. 1.

As the Motion outlines, it responds to Authority correspondences dated September 24 and October 23, 2026, which required Eversource to file a motion demonstrating good cause to admit the additional exhibits. This is not a new issue, however. In the August 11, 2026, Scheduling Conference, parties expressed concern that the application as submitted at that time was incomplete. Tr. dated August 11, 2026, p. 89-92 ("We were unsure coming into today even if there was a full application or not in the perspective of the Authority."; "[W]e're not positive that an application is complete when it's not filed publicly. However, we're going to set that aside for a second and we're going to go on to the more important matter, in my opinion, of whether or not the application is complete when it literally does not have all of the material available to review at this moment. And that was our primary concern."; "[W]e've heard multiple things as in the presentation earlier in one of the pages of the presentation they're going to be updating multiple filings throughout the proceeding. They gave us several days into the future. We don't necessarily have all of the material available at this moment to work with, it seems, from our perspective."; "I think we filed it as correspondence because, to be honest, we weren't completely clear of the Authority's intentions with respect to declaring the application complete and the triggering of the statutory clock, and we wanted to preserve our rights in case the Authority was also still deliberating the completeness of the application. We wanted to proceed with our discovery and work with the company on a schedule and be efficient in utilizing the time we have, but we also didn't want to concede any legal ground to the extent the Authority was still deliberating on the completeness of the application.").

Further, parties explained that allowing Eversource to continue to add to the application would prejudice the parties' ability to review the material. *Id*. at p. 99-100, ("If we receive an application on July 14th, and we're not really receiving the majority of the application until December, and we're then supposed to conduct a hearing on that in January, and we've had no opportunity to explore it whatsoever, we've been prejudiced by this process, or we can't meaningfully participate in this process. We can't represent ratepayers the way that we are statutorily obligated to do."); 109-110 ("It's our ability to prepare and evaluate the case fairly as

well as the transparency and the ability for the public and the residents, those who are forced to pay Eversource bills, can understand what the request for the application is…" "If our PFT testimony evaluating the capital additions that Eversource is seeking to include in rates is due a month later, that just doesn't give us enough time to fairly evaluate that. It leaves us in an impossible situation… It prejudices our ability to put on our case when we have a delay in that documentation.").

Although parties indicated that the Authority could choose to declare the application incomplete until Eversource filed the last item of prima facia evidence, which then would begin the statutory timing, the Authority indicated that it did not believe the issue was ripe at the time of the Scheduling Conference and that it could not determine the application was incomplete based on information that might be received in the future. *Id*. at p. 99. ("And I also think you have the opportunity available to you to extend the time frame based on the timing in which the application is fully presented to you."); p. 100 ("I just don't know what it is that we can do right now legally…"). The Authority indicated that the appropriate manner in which to address parties' concerns was to respond when Eversource filed a motion to submit the information into the record in the future. *Id*. at p. 99 ("But I guess, again, very mechanically and legally, wouldn't that be a – wouldn't the relief you request then at some future point be to say, hey, PURA, this stuff that just came in months late you just shouldn't consider because we have a due process violation here as opposed to what you're asking."). Therefore, based on the discussion in the Scheduling Conference, Eversource was, at minimum, on notice that parties in the docket were concerned about Eversource continuing to file supplements and that the Authority would address this issue if Eversource filed supplements.

As a result of the Scheduling Conference, OCC proceeded as it indicated it would during the conference - progressing with discovery and the remainder of the schedule until receiving further guidance. Given this docket's tight timeline and volume of evidence (even without the supplemental filings), OCC did not have the luxury of assuming Eversource's supplemental filings were not in the record. To the contrary, OCC's limited time and resources required it to assume the supplemental filings were in the record until the Authority ruled they were not; otherwise, OCC would be left in the untenable position of waiting on an Authority motion ruling and then having to scramble to review volumes of evidence if the Authority admitted the supplemental filings. Therefore, OCC did not concede in its pre-filed testimony ("PFT") that Eversource was *permitted* to enter supplemental filings in the record. *See* Motion, p. 24. The reference in the PFT to supplemental filings simply reflected the state of the docket in which Eversource had made several supplemental filings and their status was unknown because Eversource had not filed a motion to request that the supplements be admitted. OCC's statement was based on practicality, not precedent.

It is worth noting that Eversource refers to this material as what it is – an addition (the material is labeled "First Supplemental Additions," "Second Supplemental Additions," and "Third Supplemental Additions"). Motion, p. 2.[1] It is difficult to argue one has a legal right to add

[1] Eversource filed these same items as CLP-ADDITIONS-REBUTTAL-5, 6, and 7. While creative, even the rebuttal testimony admits these are the same filings as the Supplemental Additions. PURA should not permit Eversource to bring in through the back door what it is not permitted to bring in through the front door. As a result, if the Authority denies Motion No. 117, it should equally strike those portions of the rebuttal testimony.

something to a rate application that has been deemed complete. Logic would indicate either the application was incomplete or the addition is unnecessary.

Eversource places significant weight on the argument that its application was required to be "substantially complete" but not "fully complete" upon filing. Motion, p. 38. Although the term substantial may be subjective, under any definition, missing at least 120 projects representing thousands of pages of documents does not constitute "substantially complete." Motion, p. 26. Eversource's own Motion proves this. Were the new evidence truly as minimal as Eversource argues, the multiple correspondences and lengthy Motion would have been an inefficient use of resources of a utility navigating a rate case. As a result of the incompleteness of Eversource's initial filing, parties have been required to wait to fill in gaps in testimony, analysis, and discovery.

OCC agrees with the Authority that Conn. Agencies Regs. § 16-1-58 permits a utility to file additions to its rate applications for 30 days after filing. Correspondence dated October 23, 2026, p. 3-4. After 30 days, the Authority must grant permission to amend the application upon motion by the utility. Additionally, the Standard Filing Requirements ("SFRs") comport with the Authority's reading of the regulations. The SFRs require Eversource to have filed the minimum information contained in the SFRs and any additional information Eversource believes was necessary to support its case. This was the requirement at the time Eversource filed its rate application, not a requirement to be met months into the rate case. Pursuant to Conn. Agencies Regs. § 16-1-58, only the Authority may permit Eversource to file this evidence later than 30 days after the original application.[2]

OCC further agrees with the Authority that "Both the reasonable capacity and the legally protected rights of the parties and intervenors to meaningfully engage in this proceeding could be unreasonably prejudiced" by Eversource filing voluminous supplements. Correspondence dated October 23, 2026, p. 5. The Motion repeatedly invokes due process, but as noted during the Scheduling Conference, due process and fundamental fairness should apply to all parties, not only Eversource. Requiring the Authority to admit the supplements simply because Eversource told the Authority it intended to file them in the future violates the very concept of due process and fundamental fairness for other parties. Eversource, and Eversource alone, had full control of when it filed its rate application. Eversource, and Eversource alone, determined what it would request in its rate application. Eversource cannot be heard to argue that its choices now impact its ability to file all necessary evidence when Eversource controlled everything at the outset of this proceeding and while every other party struggles under the weight of continually-increasing evidence in the docket. Due process and fundamental fairness would provide the parties in the docket more than two weeks to examine evidence. *See* Motion, p. 25 (proposing to file the last

[2] Eversource argues that this filing should be a Motion to Admit Evidence, which implies that Eversource thinks it should be permitted to continually admit evidence to support it initial filing. Motion, p. 40. Neither the regulations nor the SFRs design a rate application that way. A reading of the rate application process as a whole shows that the utility is presumed to have filed everything to support its case in chief within 30 days of its initial rate application filing. The ability to incorporate more evidence later appears to be a method to fill in unforeseen gaps, not as a way to file the equivalent of many other utilities' entire rate applications months into the proceeding. *See e.g.,* Docket No. 26-08-14, Application of Jewett City Water Company dated October 23, 2026 (comparing the size of Jewett City Water's entire rate case filing to the size of the "supplements" Eversource is now attempting to file).

supplemental addition by January 15, 2027).[3] They would provide the parties the full statutorily-required time.

Finally, OCC agrees that "the scale of the underlying application" and the "sheer volume of these filings, coupled with the proceeding's statutory deadline" justify the Authority deviating from past practices. Correspondence dated October 23, 2026, p. 4-5. Eversource has voluntarily stayed out for almost a decade and now has filed an initial application containing hundreds of files and hundreds of thousands of documents. The supplements seek to add to an already overwhelming filing that the statutory deadline makes almost impossible to navigate. It would have been unrealistic for Eversource not to realize its filing breached new territory for everyone.

For these reasons, OCC objects to Motion No. 117 and respectfully requests that the Authority deny the Motion.

Respectfully submitted,
STATE OF CONNECTICUT
OFFICE OF CONSUMER COUNSEL

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CERTIFICATE OF SERVICE

I do hereby certify that on this day the foregoing document was filed with the Public Utilities Regulatory Authority, and copies thereof were served upon each person designated on the official service list in this proceeding in accordance with R.C.S.A. § 16-1-15.

Dated at New Britain, Connecticut this 20th day of November, 2026.

/s/Kimberly White
Commissioner of the Superior Court

[3] The Motion argues that the fact that certain parts of Eversource's application, such as a performance based multi-year rate plan ("PBMRP") are based on the supplemental evidence requires the supplemental evidence to now be admitted. To the contrary, this means the Authority should deny Eversource's PBMRP.