STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY
OFFICE OF EDUCATION, OUTREACH, & ENFORCEMENT

May 13, 2026

Public Utilities Regulatory Authority
10 Franklin Square
New Britain, CT 06051

RE: Undocketed Correspondence – Response to Undocketed Correspondence Filed May 5, 2026, by the Connecticut Light & Power Company d/b/a Eversource Energy Regarding Procedural, Filing, and Process Adjustments

Dear Commissioners:

The Office of Education, Outreach, and Enforcement (EOE) of the Public Utilities Regulatory Authority (Authority) submits this undocketed correspondence in response to the undocketed correspondence filed on May 5, 2026, by the Connecticut Light & Power Company d/b/a Eversource Energy (Eversource) regarding certain procedural, filing, and process adjustments (Eversource Corr.). EOE is opposed to some of Eversource's requested adjustments for the reasons stated below.

1. **EOE Opposes Eversource's Proposal Regarding Redaction of High-Volume Documents**

EOE opposes Eversource's proposed adjustments regarding redactions of "high-volume documents." Eversource Corr., p. 3. If EOE understands correctly, Eversource is proposing that it will not publicly file its "high-volume documents" because it is too time-consuming and costly to redact these documents. While Eversource addresses how parties and intervenors will be given access to these "high-volume documents," Eversource fails to explain how the public, including ratepayers, will be able to review Eversource's rate application if the "high-volume documents" are not filed publicly.

While Eversource proposes to file a "table of contents" that can be provided to the public, including ratepayers, "for notice and reference purposes." Id. Such a table is not likely to provide sufficient information. To the contrary, the proposed table is more likely to raise questions than provide answers, and may lead to requests for information to the Authority from the public under the Freedom of Information Act, General Statutes §§ 1-201 et seq. (FOIA or Act).

While the Authority has discretion in disclosing documents in response to a FOIA request, that discretion is limited by the Act itself. If the Authority were to refuse to provide access to the unredacted documents, it runs the risk of violating the FOIA and could be subject to an appeal taken by the interested party to the Freedom of

Information Commission. See General Statutes § 1-206(b). Even if the Authority were to prevail in an appeal to the Freedom of Information Commission, the appeal itself would require time and resources that the Authority should not be required to shoulder given that the information belongs to Eversource.

Even if one were to conclude that the Authority is not required to disclose these unredacted "high-volume documents" pursuant to a valid FOIA request, that argument does not change the conclusion that Eversource must file these documents publicly – with or without redactions. Arguably, the Authority could refuse to disclose portions of the unredacted "high-volume documents" under, e.g., General Statutes § 1-210(b)(5)(B), which provides that "[c]ommercial or financial information given in confidence, not required by statute" is exempt.[1] However, as is evidenced by Eversource's prior rate application filings and as is argued by Eversource itself, the entirety of the "high-volume documents" are not exempt, only portions are exempt and thus redacted.

Therefore, if Eversource does not redact its "high-volume documents" and file them publicly with the Authority, then the Authority would be required to redact Eversource's documents in order to comply with a FOIA request. It is inappropriate to ask the Authority to redact Eversource's documents for several reasons. First, the information in the documents does not belong to the Authority and thus the Authority is not in the position to determine what information should be redacted absent argument from Eversource identifying the reasons for redaction, such as is provided in a motion for protective order with supporting affidavit swearing to the veracity of the facts. Secondly, it improperly shifts the cost and time burden to the Authority.

One unintended consequence of Eversource's proposal may be that the Authority, when exercising its discretion in response to a valid FOIA request, would feel compelled to disclose the unredacted "high-volume documents" since there will be no appropriately redacted version of those documents in the agency's possession.

Additionally, Eversource proposed that if "a party or intervenor requests a public redacted version for a valid reason such as to facilitate cross-examination in the hearing room, the Company will work in good faith with the requestor to attempt to accommodate their request." Eversource Corr., p. 3. EOE notes that this proposal from Eversource inappropriately shifts the burden to a party or intervenor, when the burden is, in fact and in law, on the company to produce a publicly available filing.

While EOE appreciates the time and costs associated with redaction of documents, that time and cost cannot overshadow the ratepayer's right (and the public's right) to information in a rate adjustment proceeding that will affect that ratepayer's rates, nor can that time and cost be inappropriately shifted to the Authority.

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[1] Furthermore, it is not entirely clear that the documents that make up Eversource's rate application are "not required by statute." If they are, then the Authority would have no basis to withhold Eversource's unredacted documents in a FOIA request for them.

2. EOE Does Not Oppose Eversource's Other Proposals

EOE is not opposed to Eversource's proposed changes regarding not providing paper copies of rate case application documents initially to EOE. See Eversource Corr., p. 1.

EOE is also not opposed to receiving bulk documentation via SharePoint or flash drive, as proposed by Eversource, provided such is technically feasible for the Executive Secretary's office. See id., pp. 1-2.

Finally, EOE is not opposed to participating in an undocketed technical meeting to discuss these and other logistical issues for Eversource's upcoming rate filing, as proposed by Eversource. See id., p. 3.

EOE thanks the Authority for consideration of these issues.

Sincerely,

PUBLIC UTILITIES REGULATORY AUTHORITY
Office of Education, Outreach, and Enforcement