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August 20th, 2026

Public Utilities Regulatory Authority
Ten Franklin Square
New Britain, Connecticut 06051

Re: Docket No. 26-08-03: ANNUAL NON-RESIDENTIAL RENEWABLE ENERGY SOLUTIONS PROGRAM REVIEW AND RATE SETTING - YEAR 6.

The Office of Consumer Counsel ("OCC") respectfully submits these written comments in response to the Public Utilities Regulatory Authority's ("Authority") First Notice of Request for Written Comments, issued on August 5, 2026, in the above-captioned docket. These comments address: (1) The electric distribution companies ("EDCs") recommended price caps and bid preferences (Motion No. 4); (2) the EDCs' recommended programmatic changes and updated Program Manual (Motion No. 5); (3) the EDCs' recommended nonrefundable application fee (Order No. 19 compliance filing); and (4) whether the NRES budgetary caps should be rebalanced to match 80%/20% megawatt (MW) allocation between Eversource and The United Illuminating Company ("UI"). OCC address each prompt in the Authority's Notice below.

I. Recommended Price Caps and Bid Preferences

OCC supports approval of the EDCs' recommended Year 6 price caps and bid preferences. This position is consistent with OCC's previous positions in Year 5's annual review, in which OCC supported maintaining the bid preferences and price cap methodology approved in the previous program years, including calculation of the buy-all price caps by reference to the highest selected bid price.[1] Six years into the program, the established methodology has produced a stable, predictable framework for competitive procurement, and the Year 6 proposal reflects the discipline that framework is designed to deliver; caps that hold flat or decline at the market

[1]OCC Written Comments, Docket No. 25-08-03, Annual Non-Residential Renewable Energy Solutions Program Review and Rate Setting - Year 5, August 26, 2025

matures, rather than ratcheting upward. The resulting Year 6 caps are essentially flat relative to Year 5, the only change is a modest decrease of $3.92/MWh in the Large Zero Emission category, and the EDCs propose to retain the same bid preference used in Year 5, which the record indicates has supported robust participation, including through the Distressed Municipality and Solar Canopy/Carport preferences. The proposed decrease and the Large Zero Emission cap, though small, appropriately passes maturing market efficiencies through to ratepayers. This continuity is appropriate so far into the program, and OCC continues to support setting caps by reference to prior years' selection bids.

Imperatively, it is important that cost containment remains central to the Program, as reiterated in OCC's previous comments.[2] OCC, in its Year 5 comments, explained that if price caps were increased, the Authority could preserve cost neutrality by reducing or adjusting the annual MW caps, reallocating capacity toward lower costs large zero-emission projects, and reevaluating higher cost categories that are not producing commensurate program benefits.[3] Consequentially, the Authority's Year 5 decision embraced this balance, when it found changed circumstances arising from the federal Investment Tax Credit ("ITC") developments and approved higher Year 5 price caps, it paired those caps with a budgetary cap to manage the impact on ratepayers.[4]

The above-mentioned approach should continue to guide the Authority's treatment of any future cap increases. While the Year 6 proposal does not increase the caps, OCC respectfully requests that the Authority confirm that any future increase in price caps will continue to be accompanied by a budgetary cap or an equivalent cost control mechanism, so that projected program expenses do not exceed prior year costs at the expense of non-participating ratepayers.

II. Recommended Programmatic Changes

OCC does not object to the recommended programmatic changes. As in the Year 5 review, where OCC acknowledged the need to keep the program manual current and did not object to the EDC's proposed red lines,[5] the proposed Year 6 edits are largely clarifying rather than substantive. The proposed changes are consistent with the changes that Authority approved in the Year 5 decision, which found reflected programmatic and statutory developments, improved administrative efficiencies and furthered the program's objectives by improving participant clarity.[6]

OCC offers two recommendations for the Authority's consideration. First, measuring load materialization for new construction and beneficial electrification projects from five years after the in-service date is a practical, participant-friendly adjustment, i.e., it aligns the materialization window with the period in which the load can actually develop. The Authority should, however, ensure that this added flexibility does not invite project size to speculative future load. OCC recommends that Authority direct the EDCs to continue verifying at the time of bid evaluation that projected load reasonably supports the proposed project size.

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[2] OCC Written Comments, Docket No. 25-08-03, Sept. 23, 2025
[3] *Id*
[4] Final Decision, Docket No. 25-08-03, p 10-13
5 OCC Written Comments, Docket 25-08-03, August 26, 2025
6 Final Decision, Docket No. 25-08-03, p 22.

Secondly, OCC affirmatively supports the proposal that the unused Year 6 budget and capacity expire at the close of the Year 6 RFP. Because NRES will be replaced by a successor program in 2028, there is no sound basis divert from prior practices and to carry unused budget or capacity forward. The expiration is also consistent with the budgetary discipline the Authority established in the Year 5 decision, which capped totaled 2026 Program spending at the estimated cost of projects selected in calendar year 2024.[7] Allowing unused funds to roll over would weaken the cap's ratepayer protections during the program's final years, when exposure should be declining, and not increasing.

III. Recommended Application Fee

OCC supports approval of the proposed $700.00 bid fee in full. As OCC stated in the Year 5 review, application fees should reflect the actual administrative costs that program participants impose, even where a lower fee might encourage greater participation.[8] The current filing demonstrates that cost shifts persist. The approved $450 fee falls hundreds of dollars short of each EDC documented per bid cost, and even the proposed $700.00 fee remains below both EDCs' estimates. Approving the full $700 would therefore narrow but not close the gap between fee revenues and administrative costs, potentially leaving ratepayers to bear the remainder.

OCC recognizes that in the Year 5 decision the Authority declined to adopt the then proposed $600 fee and instead approved a more gradual increase to $450, citing expected disruptions to the solar industry from the federal policy changes and committing to continue monitoring administrative costs and bid fee revenues. Two considerations support moving to the $700 fee now. First, the transition period rationale has diminished; developers have had ample time to adjust to change federal landscape and continue gradualism only prolongs ratepayer subsidy. Second, NRES is a program for large, sophisticated commercial developers pursuing substantial projects. A $700 nonrefundable fee below EDCs' actual per-bid cost is not a meaningful barrier to entry for a viable project. OCC does not anticipate that a fee at this level would discourage well capitalized proposals, it is reasonable to expect that projects capable of delivering ratepayer value can accommodate a fee of this size.

Finally, OCC renews its position that the Authority should consider replacing the single flat statewide fee with fees reflecting the actual administrative costs in each EDCs' territory. The compliance filing itself illustrates the mismatch a uniform fee creates; Eversource's estimated per bid cost is approximately $730 while UI's is approximately $872, yet both would charge $700. Territory specific fees would most accurately assign entities of costs to the participants who caused them and would eliminate the cost subsidy embedded in any single statewide figure. At minimum, the proposed $700 statewide fee is a reasonable, supported step, and OCC urges the Authority to approve it without further phase in.

IV. BUDGET ALLOCATION

OCC recommends that the Authority maintain the current allocation. The ratepayer protection the budgetary cap affords is inseparable from its anchor in actual in actual costs; substituting a notional capacity split for that anchor would dilute that protection itself. Absent record evidence

[7] Final Decision p.10-13, see also Motion No. 5, Docket No. 26-08-03, July 30,2026

8 Final Decision, Docket No. 25-08-03

that additional budget is necessary to meet demand in each service territory, rebalancing the budgetary cup to mirror the MW allocation would untether the cap from actually selected project cost and would increase budget exposure of Eversource ratepayers. If actual procurement results in the future years demonstrate that cost-based allocation is constraining otherwise least cost projects, the Authority can revisit the split on that record. Absent such evidence, allocation should remain tied to actual cost.

OCC appreciates the opportunity to submit these comments and looks forward to continued participation in this year's annual review.

Respectfully submitted,

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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 August, 2026.

/s/Paschaline Poku
Commissioner of the Superior Court