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November 2nd , 2026

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

Re: Docket No. 26-08-04: ANNUAL SHARED CLEAN FACILITY ENERGY SOLUTIONS PROGRAM REVIEW

Dear Commissioners,

The Office of Consumer Counsel ("OCC") respectfully submits this letter in lieu of written exceptions in response to the Public Utilities Regulatory Authority's ("Authority") Proposed Final Decision ("PFD"), issued on October 19th, 2026, in the above-referenced docket.

OCC supports the PFD's core determinations, consistent with the positions OCC set out in its written comments ("OCC Comments"),[1] and offers the following limited exceptions to clarify several points that bear on ratepayer costs in the Program's final year.

I. The $179.00/MWh Price Cap Should Rest on Year 7's Record

The PFD reasonably finds that the record does not establish that federal trade and tax actions have rendered a $179.00/MWh cap economically unviable, and that potential future cost impacts remain speculative. [2] The Authority in its analysis ties this price cap to the NRES large buy-all price cap recommended in Docket No. 26-08-03.[3] Because the NRES cap has not yet been adopted, OCC asks that the Final Decision clarify that the SCEF cap stands on its own.

The PFD analysis of the Year 7 results supports the cap independently. Also, nine of the thirteen selected projects bid below the $179.00/MWh in Eversource's territory, the median selected bid was $161.00/MWh, and the average was $179.00/MWh; and United Illuminating Company's (UI) higher prices reflected limited competition, with only two bidders and all three

[1] OCC Written Comments, Docket No. 26-08-04, September 14, 2026, p.1-3
[2] DEEP Compliance, September 1, 2026, *see also* OCC Comments p.2
[3] PFD, p.7 citing Motion No. 4, July 29, 2026, p.3

qualified bids selected.[4] The Final Decision should state that the Year 8 SCEF cap will not change if the Authority adopts a different NRES cap in Docket No. 26-08-03.

II. The Authority Should Confirm that the Table 1 Allocation is an Absolute Ceiling

OCC agrees that the EDC-specific allocations should operate as hard caps.[5] However, the PFD states that the EDCs shall not exceed their allocations "after accounting for unused, terminated, withdrawn or reduced-size projects."[6] That language could be read to permit an EDC to increase its Year 8 budget by the value of terminated prior year projects.[7] In Year 7, Eversource increased its $9,864,750.81 budget by $3,082,758.17 on that basis.[8] If a familiar adjustment is permitted for Year 8, actual commitments could exceed the amounts shown in Table 1 of the PFD by a substantial margin.[9]

OCC requests that the Final Decision state whether Table 1 amounts are the maximum amounts each EDC may commit to in Year 8. If the Authority intends to allow adjustments for terminated or withdrawn prior-year projects, the Final Decision should state how those adjustments are calculated and confirm that they cannot raise combined program commitments above the aggregated budget of $15,568,449.47.[10] The amended Standing Order No. 9, which requires a breakdown of any budget cap adjustments methodology,[11] is helpful but it applies only after selections have been made.

III. The Final Decision Should Address Unused Year 7 Funds

The Year 7 Decision provided that, if an EDC's 2026 selection falls below its budget "the remaining uncommitted funds shall roll over and be available for use in the final capital SCEF Program in 2027".[12] UI's Year 7 solicitation drew limited interest. In the first round, UI selected only 7.49MW of its 10MW allocation,[13] and the bids it received would have used less than half of its Year 7 budget, prompting a second procurement round.[14] The PFD does not address whether any UI funds left uncommitted after that round will carry into Year 8, or if they do, how they fit

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[4] Motion No. 6, Docket No. 25-08-04, Att. B May 15, 2026, *see also* Motion No. 7, Docket No. 25-08-04, Att. B, June 18, 2026
[5] PFD p.12
[6] *Id.*
[7] The PFD's description of the budget-cap adjustment is consistent with the Authority's Year 7 decision, which permitted the EDCs to adjust the 2027 budget caps "to account for projects that are terminated, withdrawn, or installed at sizes different from those originally proposed in prior solicitation years." Final Decision, Docket No. 25-08-04, *Annual Shared Clean Energy Facility Program Review Year 7* ("Year 7 Decision"), Dec. 17, 2025, p. 10. In exercising its authority under General Statutes § 16-244z(c)(1)(A), the Authority must also consider ratepayer cost impacts consistent with General Statutes § 16-19e(a). *Id.*, p. 9, fn. 3.
[8] DEEP Comments, September 14, 2026, p.2
[9] PFD, p.13
[10] PFD, p.13, *see also* OCC Comments,p.3 where the combined cap is the operative protection for nonparticipating ratepayers; OCC Written Comments Docket No. 25-08-04, Oct 2, 2025
[11] PFD, p.21
[12] Year 7 Decision, p. 10
[13] Motion No. 6, Docket No. 25-08-04, Att. B, May 15, 2026
[14] *Id* p. 9 citing DEEP Comments, p. 1-2, September 14, 2026

within the reallocated 80/20 split. OCC raised this question in its comments,[15] and Verogy recommended that unused Year 7 amounts be allocated on an 80/20 basis rather than rolling forward exclusively into UI's Year 8 allocation.[16]

OCC believes that without clarification, UI's rolled over Year 7 funds could be added to its $3,114,929.09 Year 8 allocation, which will undercut the 80/20 reallocation split that the PFD adopts.[17] OCC therefore recommends that the final decision clearly direct that any uncommitted Year 7 funds be included within the $15,568,449.47 aggregate budget and divided on the same 80/20 basis, or (b) clarify that the Year 8 allocation in Table 1 already accounts for all rollover amounts.

IV. Capacity Forfeited by Year 8 Bidders Should Expire Given Successor Programs

OCC appreciates the PFD's confirmation that given the program is in its final year, "any unallocated budget will expire and not roll over into a subsequent program year".[18] That provision addresses a budget that is never awarded. It does not clearly address budget or capacity associated with a Year 8 project that is selected and is later withdrawn or terminated. The program manual provides that capacity "foregone by a selected bidder choosing not to move forward with their bid shall be reallocated to the program capacity of the upcoming solicitation".[19] No solicitation follows Year 8.[20] Therefore, the Final Decision should confirm that budget and capacity forfeited by Year 8 projects also expire and will not carry into any successor program absent further Authority action in Docket No. 26-06-04, *Implementation of Clean Energy Successor Programs.*

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OCC appreciates the opportunity to submit these Written Exceptions and thanks the Authority and parties for their work in this docket.

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[15] OCC Comments p.3
[16] PFD, p.10 citing Verogy Comments, September 14, 2020,p.3
[17] PFD, p. 12
[18] *Id*, p. 16 citing Motion No. 2, Att. 1, August 31, 2026, p.11.
[19] Year 7 Decision, p. 10, fn. 7; quoting Motion No. 4, Docket No. 24-08-04, Att.1,December 31, 2024, p. 11
[20] *See* General Statutes § 16-244z(a)(1)(C); PD, p. 1, fn. 1

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 2nd day of November 2026.

/s/Paschaline Poku
Commissioner of the Superior Court