July 9, 2026

VIA ELECTRONIC FILING

Mr. Jeffrey Gaudiosi
Executive Secretary
Public Utilities Regulatory Authority
Ten Franklin Square
New Britain, Connecticut 06051

Re: DOCKET NO. 26-08-05 ANNUAL ENERGY STORAGE SOLUTIONS PROGRAM REVIEW – YEAR 6 NOTICE OF REQUEST FOR WRITTEN COMMENTS

Mr. Gaudiosi -

Connecticut Solar & Storage Association (CONNSSA) submits the following in response the PURA's June 16, 2026 Request for Written Comments in the above referenced Docket.

CONNSSA opposes any proposal that would make an EPC, installer, or Eligible Contractor financially liable for an Enrollment Incentive clawback caused by a customer's post-completion disenrollment from the Energy Storage Solutions Program.

In short, we have already solved the problem of ratepayer risk. There shouldn't be an incentive clawback.

The current ESS structure already shifted most participant compensation to a performance-based payments, which reduces ratepayer risk by tying the larger payments to actual grid performance.

Because the larger ongoing incentive value is earned only through continued program participation and performance, the program already has a natural protection mechanism: if a customer disenrolls or stops participating, future performance incentives stop. A broad clawback would create confusion, chill adoption, and add administrative burden without providing much additional ratepayer protection.

This is especially important for EPCs and contractors. The EPC's role is limited to the portion of the project it can actually control: customer contracting, equipment procurement, installation, code compliance, interconnection support, closeout documentation, and helping bring the system to PTO/final approval. Once the project is installed, approved, energized, and turned over to the customer, the EPC does not control whether the customer remains enrolled for the full 10-year term.

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Contractors also generally do not control DERMS enrollment, customer participation in dispatch events, customer opt-out behavior, utility dispatch, internet connectivity, OEM software performance, aggregator performance, home sale decisions, account ownership changes, or whether the customer later elects to withdraw from the program. In many cases, the customer must complete DERMS or program enrollment steps directly in order to receive performance incentives. It would be unfair and commercially unworkable to impose repayment liability on an EPC for a customer's later decision or failure to participate in a process outside the EPC's control.

If PURA determines that some form of Enrollment Incentive clawback is necessary, we would request clear language stating that no EPC, installer, or Eligible Contractor shall be liable for any clawback, repayment, offset, collection, or penalty arising from actions outside of its control, such as a customer's post-completion disenrollment, failure to participate in dispatch events, failure to complete DERMS enrollment, sale of the property, change in account ownership, or other post-PTO customer action or inaction.

Any clawback obligation should apply only to the party that owns the BESS, receives the incentive, controls the enrollment decision, or affirmatively causes the project to be removed from the program. Contractor liability should be reserved only for contractor-caused issues such as installation of ineligible equipment, failure to complete required project documentation, or other pre-completion noncompliance directly within the contractor's control.

To clarify, CONNSSA is not asking PURA to remove accountability from the program. Rather, CONNSSA urges PURA to distinguish between contractor-caused noncompliance and customer-controlled post-completion conduct. Future performance incentives can simply stop when a customer disenrolls. That approach protects ratepayers while avoiding an unfair transfer of long-term customer behavior risk onto contractors that have no post-completion control over the customer, DERMS participation, or the BESS dispatch relationship.

Additionally, CONNSSA supports the comments filed by Earthlight in this Request of Comments.

Michael Trahan

Michael Trahan
Executive Director