BEFORE THE CONNECTICUT PUBLIC UTILITIES REGULATORY AUTHORITY

IN THE MATTER OF PURA INVESTIGATION INTO THE ESTABLISHMENT OF INTEGRATED DISTRIBUTION SYSTEM PLANNING WITHIN A PERFORMANCE-BASED REGULATION FRAMEWORK	**)**	**DOCKET NO. 21-05-15RE03**

INITIAL BRIEF OF VOTE SOLAR, CONSERVATION LAW FOUNDATION, ACADIA CENTER, AND SAVE THE SOUND ("THE ADVOCATES")

I. Introduction

The Advocates represent a diverse coalition of national, regional, and state organizations formed in 2021. Our coalition has been actively involved in the Performance-Based Regulation ("PBR") proceeding at the Public Utilities Regulatory Authority ("PURA" or "Authority") since its inception. We share aligned organizational priorities centered on advancing a just clean energy future. This collaborative approach has enabled us to effectively pool our collective expertise and engage meaningfully in this complex regulatory process. Given that participating in the PBR dockets requires substantial time, resources, and specialized knowledge, working as a united coalition has enabled our organizations to provide meaningful input in these proceedings.

II. Arguments

Conflation of Prudent Investment Recovery with Guaranteed Returns

We are concerned that the electric distribution companies ("EDCs") conflate their "reasonable opportunity to earn" the authorized return on equity ("ROE") with an entitlement to

"guaranteed earning" of that ROE, regardless of performance.[1] This conflation undermines the foundational regulatory principle that utilities must earn their returns through prudent management and efficient operations, not through regulatory guarantee divorced from accountability.

The concept of a "reasonable opportunity to earn" should not be interpreted as a guarantee of earnings. Rather, it requires establishing a framework where regulators set rates that allow the utility the opportunity to recover its prudently incurred reasonable costs and earn a fair return on these costs. Crucially, however, actual recovery depends on the utility's operational efficiency and prudent decision-making. Under this framework, utilities bear the risk of their management decisions and operational performance. The EDCs argue that they would be "deprived of their ability to recover necessary and prudently incurred costs".[2] This statement fundamentally mischaracterizes the regulatory framework. The EDCs conflate what they should have (a reasonable opportunity to recover prudent investments through efficient operations) with what they demand (guaranteed recovery regardless of planning adequacy or performance outcomes). Recovery of "prudently incurred costs" requires actual demonstration of prudence, not assumption of prudence. Regulatory decisions must serve the public interest, not guarantee utility profits.

The utilities argue they are being "punished for failing to meet metrics that cannot be achieved without the necessary level of funding".[3] This argument fails on multiple levels. First, it rests on circular logic: the EDCs demand guaranteed funding to meet performance standards, while claiming an inability to perform without that guarantee. This represents backwards accountability where performance metrics, which exist to align utility actions and investments with regulatory priorities and public interest outcomes, are reframed as hurdles for guaranteed recovery rather than measures of demonstrated performance. Regulators must always balance the

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[1] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 4. Docket No. 21-05-15RE01, Docket No. 21-05-15RE02, and Docket No. 21-05-15RE03 Technical Meeting Transcript, May 21, 2025 at 24, 34 55, and 123.

[2] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 13-14.

[3] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 14.

interests of the EDCs and the interests of ratepayers; this is one of the key responsibilities of utility regulators, if not the most important responsibility. A regulatory framework that shifts all risk onto ratepayers is imprudent, which would include guaranteed returns for the EDCs, and their shareholders, without regard for performance. Stated differently, a reasonable opportunity to earn a return must also be tied to the performance of the EDCs.

Utilities earn their authorized returns by delivering the services for which rates are set. The concept of "prudent investment recovery" assumes the utility has already demonstrated prudence in planning and execution, meaning accountability must precede compensation. The utilities' demand for guaranteed cost recovery before improving planning processes reveals fundamentally backwards priorities. Proper distribution system planning is a core utility function, not an extraordinary service requiring special compensation. Ratepayers have a right to expect basic planning competence without paying premium rates for that competence. The regulatory compact requires utilities to demonstrate value delivery, not merely cost incurrence, meaning payment should follow performance.

Linking Funding to Planning and Performance

We are concerned about the EDCs' logic that preemptive funding approval is necessary to meet performance expectations. During the May 21, 2025, technical meeting, the EDCs stated that "to the extent we establish a performance expectation in RE02, we have to ensure that the funding available to the utility is sufficient for them to have a realistic chance of meeting that performance expectation".[4] This framing places the cart before the horse in regulatory planning and would create a dangerous precedent for guaranteed cost recovery divorced from prudent investment analysis. Performance expectations can drive distribution system planning, planning informs rates, and rate cases and annual rate adjustments provide appropriate cost recovery for prudent investments. This sequence ensures that the EDCs 1) understand what performance is expected, 2) develop cost-effective plans to achieve that performance, and finally 3) justify the prudent costs of their chosen approach through rate proceedings. The EDCs' preferred approach

[4] Docket No. 21-05-15RE01, Docket No. 21-05-15RE02, and Docket No. 21-05-15RE03 Technical Meeting Transcript, May 21, 2025 at 82-84.

reverses this logic by demanding guaranteed funding *before* the utilities demonstrate the prudence of their planned investments or the cost effectiveness of their chosen solutions. This runs the risk of inverting the proper regulatory sequence and reveals a misunderstanding from the EDCs about how performance-based regulation should work.

The EDCs claim that performance-based mechanisms that exclude guaranteed returns on capital provide inadequate funding for achieving performance targets, requiring utilities to constrain investments to basic replacement levels to protect their authorized return on equity. This assumes that all utility investments deserve guaranteed returns regardless of their prudency or necessity. The exclusion of return from certain funding mechanisms is designed so that utilities must carefully evaluate the necessity and cost-effectiveness of investments rather than pursuing capital intensive solutions simply because they guarantee returns. The EDCs are reducing this issue to a problematic and erroneous binary choice: either guarantee them sufficient funding to meet performance expectations, or accept that performance cannot improve. This false dichotomy ignores the fundamental purpose of performance based regulation.

The EDCs' demand for guaranteed funding before demonstrating performance becomes particularly problematic when viewed through the lens of competitive markets. As regulated monopolies, EDCs face no market competition that would naturally discipline their investment decisions or performance. However, utility regulation is designed to impose competitive-like pressures that monopolies would otherwise lack. The EDCs' proposal runs counter to basic competitive principles. In competitive markets, businesses must invest their own resources to improve performance and service quality, then compete for customers based on the value they deliver. No competitive business would expect customers to guarantee payment for investments before demonstrating their value or necessity. Walmart, for example, does not demand that customers pre-fund store improvements with guaranteed returns regardless of whether those improvements actually benefit shoppers. Instead, retailers must justify investments through improved customer satisfaction, operational efficiency, or competitive advantage, with their own capital at risk.

Regulatory frameworks that guarantee utility returns without performance accountability eliminate the discipline that regulation should provide to mirror competition. When utilities face no risk for poor investment decisions and no competitive pressure to demonstrate value, ratepayers become a captive customer base funding whatever the utility chooses to pursue. This arrangement prioritizes shareholder value over customer value and removes incentives for utilities to invest wisely, operate efficiently, or respond to customer needs. Performance-based regulation should restore these competitive dynamics by linking cost recovery to demonstrated prudence and value delivery, not guarantee returns that insulate utilities from the consequences of their decisions.

As such, we urge the Authority not to, as the EDCs request, "Explicitly acknowledge IDSP-related costs as recoverable through the Rate Adjustment Mechanisms ("RAM") until the next time base distribution rates are reset".[5] To make such a statement would imply a preemptive finding of prudence for IDSP-related costs, reversing the intended effect of this planning exercise as a mechanism for improving efficient EDC performance. If the Authority feels it necessary to clarify this point, at most IDSP-related costs should be *eligible* for recovery through the RAM.

Utility Capital Funding Bias and Criticality of a NWS PIM

The EDCs' contention that all capital expenditures must be funded with a guaranteed rate of return[6] represents a dangerous departure from sound regulatory practice and is inconsistent with state law.[7] We argue that an 'all prudent capital expenditures will be recovered at appropriate times' framework is the appropriate standard.. This standard enables the Authority to maintain regulatory oversight while providing utilities with reasonable certainty about their ability to recover genuinely prudent investments. The solution to regulatory uncertainty is not eliminating regulatory oversight, but rather improving the predictability and consistency of

[5] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 48.
[6] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 11.
[7] *See* Conn. Gen. Stat. §§ 16-19 (amendment of rate schedule; investigations and findings by authority; hearings; deferral of municipal rate increases; refunds; notice of application for rate amendment, interim rate amendment and reopening of rate proceeding) and 16-19a (periodic review re gas and electric distribution companies' rates, services and performance. Approval of performance-based incentives and penalties).

prudent investment evaluation. The EDCs' framing attempts to bypass a prudence review expectation that protects ratepayers from unnecessary costs. By demanding upfront funding guarantees for all capital investments, the EDCs seek to transform the regulatory process from one of prudent investment evaluation to one of automatic cost pass-through.

The EDCs' focus on funding for traditional infrastructure reveals a fundamental bias toward capital-intensive solutions that maximize their rate base and returns. This bias was evident during the May 21, 2025 technical meeting, where the utilities discussed funding mechanisms for hours without any mention of non-wires solutions ("NWS"). We maintain that NWS are a critical aspect of the IDSP framework with the potential to maximize the value of existing grid infrastructure through operational solutions and targeted distributed energy resource (DER) deployment.[8] We commend the Authority's requirement that the EDCs categorically analyze alternatives to investments over $1M, positioning NWS as an assumed step of the investment process. However, the EDCs have advocated for NWS to be deprioritized throughout the PBR proceeding. For example, in the EDCs' May 8, 2025 comments on the Authority's proposed performance incentive mechanisms ("PIMs"), the EDCs suggested that the NWS PIM is "unworkable and/or should be reclassified as either a Scorecard or Metric".[9] The EDCs claimed that there is "no objective benchmark and no historical data for evaluating EDCs [sic] performance".[10]

We believe the data gap cited by the EDCs demonstrates that the EDCs historically have not fully considered NWS in past utility planning practices, rather than any intrinsic shortcomings related to NWS. The data gap demonstrates exactly why regulatory intervention is necessary to ensure that the EDCs evaluate NWS in their grid planning processes and implement NWS as appropriate under the existing regulatory framework.[11] The absence of historical data should drive the creation of forward-looking grid planning and the implementation of cost-effective solutions, not excuse the utilities from considering alternatives to traditional capital investments.

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[8] Docket No. 21-05-15RE03, The Advocates Written Comments on PURA Straw Proposal, May 7, 2025, at 9-10
[9] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 12.
[10] *Id.*
[11] Docket No. 24-08-08, Non-Wires Solutions Process Initiation Phase.

Non-wires solutions can represent precisely the type of innovative, cost-effective alternatives that utilities should evaluate before defaulting to traditional capital investments. We offered steps to build on the Straw Proposal and realize this vision in our May 7, 2025 comments, which we expand upon below.[12] In many states, NWS solutions have proven an important aspect of grid planning. They can be effective at addressing system needs at lower overall costs than traditional investments while providing greater flexibility and faster deployment. However, because NWS typically involve operational expenses rather than capital investments, they may not contribute to the utility rate base and are therefore at risk of being deprioritized by the EDCs. A properly designed PIM for NWS would align utility incentives with ratepayer interests by rewarding utilities for choosing the most cost-effective solutions in their grid planning and ensure that NWS are implemented where appropriate.

The EDCs' suggestion to reverse course on NWS and their failure to offer any alternative methodology demonstrates a lack of interest in meaningfully developing NWS capabilities in their distribution system planning processes. The implementation of solutions that meet the established NWS criteria are needed to build the very data the EDCs claim is missing. We urge the Authority to see past the EDCs' capital bias and reject their dual demand to guarantee capital recovery while simultaneously rolling back performance incentives that would encourage cost-effective alternatives such as NWS.

Scope of Integrated Distribution System Planning

The EDCs' approach to integrated distribution system planning ("IDSP") represents mission creep, transforming what should be a legitimate grid planning exercise into a mechanism for guaranteed cost recovery. If the Authority accepts the EDCs' arguments, what began as distribution system planning could morph into a dangerous vehicle for the EDCs potentially recovering 70% of all utility capital,[13] which would negatively impact ratepayers and the public

[12] Docket No. 21-05-15RE03, The Advocates Written Comments on PURA Straw Proposal, May 7, 2025, at 7-10.
[13] Docket No. 21-05-15RE01, Docket No. 21-05-15RE02, and Docket No. 21-05-15RE03 Technical Meeting Transcript, May 21, 2025 at 39-40.

interest. We share the Office of Consumer Counsel's ("OCC") concern that this could create a "revenue machine" for the EDCs rather than a comprehensive planning process.[14]

The IDSP process should include transparent and granular forecasting (*e.g.,* breaking down the expected deployment of renewable energy, storage systems, demand response programs, and electrification technologies, rather than relying solely on general load growth projections), which are necessary to prevent utilities from manipulating planning processes to justify predetermined investments.[15] Without detailed, transparent analysis of individual investment decisions, the IDSP process becomes exactly what OCC warned against: a revenue machine that prioritizes utility financial interests over ratepayer value. Granular forecasting would require utilities to demonstrate specific needs, evaluate alternatives, and justify costs for individual projects rather than hiding behind broad planning rhetoric. Transparent methodologies like those we summarize in our May 7, 2025 comments are necessary to enable regulators and other stakeholders to scrutinize the utilities' IDSP filings and ensure that grid investments are aligned with system needs and the state's policy priorities.[16]

Load Forecasting and Scenario Planning within the IDSP

We are concerned with several aspects of the EDCs' comments related to load forecasting. In this subsection, we comment on the EDC proposals related to base scenario selection and utilization, stakeholder engagement on load forecasting decisions, and the generation and utilization of hourly data.

First, we address the EDCs' proposal to limit 10-year load forecasting to a base scenario based on "economic data, interconnection queues, and other quantifiable data that does not leave room for interpretation".[17] As a preliminary matter, the EDCs have provided limited information about their base scenario methodology. The "observed trends" and proprietary datasets discussed

[14] Docket No. 21-05-15RE01, Docket No. 21-05-15RE02, and Docket No. 21-05-15RE03 Technical Meeting Transcript, May 21, 2025 at 41.
[15] Docket No. 21-05-15RE03, The Advocates Written Comments on PURA Straw Proposal, May 7, 2025, at 6-7.
[16] Docket No. 21-05-15RE03, The Advocates Written Comments on PURA Straw Proposal, May 7, 2025, at 1-3.
[17] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 31.

in their comments offer little insight into how datasets are selected or analyzed.[18] This is especially concerning because many methodological details still need to be clarified.[19] Furthermore, the electric system is evolving rapidly, and a stagnant base scenario based largely on historical or observed data is likely insufficient for grid planning purposes. While the Connecticut Siting Council predicts a statewide 2024-2033 increase of about 600 megawatts ("MW") or 1.1% based on 2024 demand,[20] the current load growth ecosystem is extremely volatile. A single high-load resource (e.g., a data center) seeking to interconnect in Connecticut or the electrification of processes at large industrial facilities that currently use natural gas could significantly increase forecasted demand at short notice. Last year, for example, a developer was considering developing a 300 MW data center in the state, equating to half of the projected total 10-year load growth.[21] While the utilities may not know in advance where such growth is likely to occur, they should model scenarios that include the addition of large load customers so they can better assess the potential grid needs and associated costs.

The Authority should direct the EDCs to engage in multiple planning scenarios in the IDSP process. Absent such direction, there is a risk that the utilities will "select scenarios that justify their preferred investment strategies rather than those that best serve ratepayers".[22] Rigorous oversight and multiple planning scenarios are needed to limit the utilities' capital bias and ensure that the utilities do not simply procure data that justifies their lucrative investment decisions. Load forecasting data is malleable and wide ranging, and datasets can be created that support a pre-envisioned outcome. Regulatory scrutiny is necessary to limit this risk.

We are also concerned about the EDCs' proposal to limit the base scenario to the "sole responsibilities of the Companies".[23] The utilities propose to eliminate stakeholder input in the

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[18] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 24.
[19] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 25-26.
[20] https://portal.ct.gov/-/media/csc/4_csc_calendarofevents/meetingmaterials/2024/2024_1219-meetingmaterials/2024-draft-forecast-report-final-combined_a.pdf?rev=1859e4226f28477a899c2c346e860bb0#:~:text=FORECAST%2D2024.-Forecast%20Report&text=The%20sum%20of%20the%20utilities,reach%206%2C772%20MW%20by%202033
[21] https://www.govtech.com/policy/connecticut-may-study-data-center-power-use.
[22] Docket No. 21-05-15RE03, The Advocates Written Comments on PURA Straw Proposal, May 7, 2025, at 3
[23] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 28.

development and implementation of the base forecast. We disagree that the utilities' ultimate responsibility to provide safe and reliable service should render them the de facto authority on load forecasting. Not only does effective load forecasting involve several planning inputs, it involves significant methodological decisions.[24] This is especially relevant to modeling the adoption of DERs, which requires accounting for several key modeling scenarios. In *Distribution System Planning: A Path Forward* (referenced in our May 7, 2025 comments) GridLab states that "the methodologies for DER forecasting are evolving and the necessary techniques and software tools are still under development." Methodological choices must be made as forecasters evaluate the technical, economic and probabilistic dimensions of DERs and electrification.[25] Each of these steps involve emerging and dynamic best practices that can be improved by stakeholder input. Stakeholder engagement is an institutionally recognized approach to giving regulators additional information and perspectives to ensure utility practices are aligned with best practices and state goals, and also a core procedural equity priority as framed by the Authority's Straw Proposal.

We further challenge the EDCs' argument that hourly forecasting should be conducted on a case-by-case basis to limit administrative burden. We acknowledge that the full grid value of technologies like managed energy storage is limited without 8,760-hour data.[26] However, requiring third parties to initiate a special request for the EDCs to develop and deliver this data places an undue burden on developers. They would have to gamble on the possibility of a development, engage in a utility data access process that may be time or resource intensive, and hope that the data demonstrates a viable opportunity. By contrast, third parties with assumed access to circuit-level hourly forecasting data can make informed business decisions, proactively plan investments, and engage strategically in the NWS process. Connecticut's existing grid flexibility marketplace, developed through the Innovative Energy Solutions program, demonstrates the positive outcomes of this type of dynamic. Through a central platform, third party developers and customer-generators compete on price to meet identified grid needs at the

[24] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 24.
[25] https://gridlab.org/wp-content/uploads/2019/04/IDPWhitepaper_GridLab-1.pdf.
[26] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 29.

circuit and hour level.[27] This model demonstrates how clear and available hourly data can enable a NWS paradigm defined by open-access, competition and iteration. Hourly forecasting data is used as a mechanism to enable *proactive and scaled,* rather than *reactive and limited,* NWS deployment.

In summary, we 1) challenge the EDCs' argument that investments should be automatically planned around a base scenario, 2) emphasize that stakeholders should have the opportunity to review and comment on utility load forecasts, and 3) argue for proactive rather than reactive generation of hourly load forecasting data. These are critical areas for ensuring that load forecasting is developed and implemented openly, with clear objectives around planning for near, medium and long-term grid needs and enabling DER adoption and NWS.

Building Towards a Full NWS Value Stack

We agree with the EDCs' request that the Authority "clarify how the established NWS framework fits into the IDSP plan/framework," to promote consistency across dockets and avoid duplicative efforts.[28] We also agree with OCC that the "benefit-cost analysis framework for NWS approved in the final decision in [Docket No. 24-08-08] should serve as the basis for cost-effectiveness when comparing NWS to any alternatives."[29] This existing framework incorporates analysis of capital expenditures, assumed SAIDI (System Average Interruption Duration Index) reduction, avoided interruption costs, storm restoration costs, and avoided VM (vegetation management) and pole costs.[30] However, we reiterate our May 7, 2025 comments that the Authority should establish a pathway towards an expanded NWS methodology that properly accounts for all relevant PBR-aligned outcomes including reliability, resilience, carbon reduction, equity, and affordability.

In the interim between the initial and second IDSP plans, the Authority's proposed Joint Working Group should prioritize updating the NWS benefit cost analysis ("BCA") to better

[27] Docket No. 22-08-07, Piclo IES Phase I Quarterly Report, June 1, 2024.
[28] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 41.
[29] Docket No. 21-05-15RE03, Office of Consumer Counsel Written Comments on PURA Straw Proposal, May 8, 2025, at 8.
[30] *Id*..

reflect state goals, IDSP principles and the PBR framework being developed in Docket No. 21-05-15RE02. We are not convinced that the existing NWS BCA evaluates system and societal benefits beyond resiliency and reliability.[31] The goal of updating the NWS BCA methodology would be to categorically define and incorporate an expanded portfolio of benefits and create a mechanism to capture the full NWS 'value stack' based on temporal and geographic needs. In our May 7, 2025 comments, we offered several ideas of how to structure such a methodology, and pointed towards work done for the Puerto Rico Energy Bureau as a model.[32] The Illinois Commerce Commission (ICC) Value of DER report is another relevant resource.This report summarizes a full stack of non-monetized DER benefits to be included in future DER compensation mechanisms, including resilience, environmental justice, controllable flexibility to increase DER interconnection, voltage regulation/optimization, and mitigated financial risk and methane leakage via gas infrastructure alternatives.[33]

Creating a Meaningful Mechanism to Ensure Distributive Equity

The EDCs have proposed including "a dedicated Stakeholder Engagement and Equity section [in the IDSP] that explains how the IDSP for proposed capital grid investments was developed and the Companies' engagement approach".[34] However, this proposal merely describes stakeholder engagement after plan development rather than incorporating stakeholder input during the planning process itself. True procedural equity requires meaningful stakeholder participation in plan development, not post-hoc explanations of decisions that have already been made. This approach falls short of advancing Authority priorities around distributive equity.[35] The EDCs' focus on documenting process while avoiding substantive stakeholder input and measurable equity outcomes represents superficial compliance that risks failing to deliver meaningful equity improvements.

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[31] *Id.*
[32] Docket No. 21-05-15RE03, The Advocates Written Comments on PURA Straw Proposal, May 7, 2025, at 8-9.
[33] Illinois ICC Docket No. 25-0495, Energy + Environmental Economics, the Value of and Compensation for Distributed Energy Resources in Illinois, January 1, 2025 at 9.
[34] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 21.
[35] Docket No. 21-05-15RE03, Straw Proposal, April 4, 2025 at 10-11.

The EDCs' failure to meaningfully discuss distributive equity is particularly concerning because they insist that investment decisions should be based on traditional inputs like safety and reliability, without fully accounting for equity. The EDCs argue that given their "final responsibility for safe and reliable operations" and "being held accountable financially through proposed PBR PIMs," they "must have the ability to make the final decisions on consideration of feedback where it pertains to the safe and reliable operations of the system".[36] We agree that grid planning decisions should not compromise the safety and reliability of the distribution system. However, we do not see equity as fundamentally at odds with those concerns. The EDCs seek to use safety and reliability as shields against meaningful equity accountability, essentially arguing that stakeholder input on equity should be solicited but ultimately can be ignored when it conflicts with the EDCs' preferred solutions. This approach would reduce equity engagement to a procedural checkbox rather than a substantive factor in investment decision-making.

The Advocates agree with OCC that concrete metrics are necessary to define, categorize, and track distributive equity outcomes.[37] OCC recommends that "the sub-metrics identified in the RE02 Revised Straw Proposal for the Customer & Community Engagement Metrics be included as an IDSP reporting requirement."[38] OCC recognizes that realizing distributive equity outcomes requires measurement and accountability, not just process documentation. The Authority should require the utilities to include the metrics in the Equitable Reliability PIM from the RE02 straw proposal as quantifiable benefits when making investment decisions, particularly improvements in CELID (Customers Experiencing Long Interruption Duration) and CEMI (Customers Experiencing Multiple Interruptions). Rather than treating equity as a qualitative afterthought, these metrics should serve as concrete decision-points that utilities must consider alongside traditional cost-benefit analysis. Illinois utilities and the state regulator have developed a leading Equity Reporting Framework measuring quantitative and qualitative outcome benefits that the Authority and Connecticut EDCs can use as a model. A similar approach in the IDSP

[36] Docket No. 21-05-15RE03, The Connecticut Light and Power Company d/b/a Eversource Energy and The United Illuminating Company Written Comments on PURA Straw Proposal, May 8, 2025, at 22.
[37] Docket No. 21-05-15RE03, Office of Consumer Counsel Written Comments on PURA Straw Proposal, May 8, 2025, at 8-9.
[38] Docket No. 21-05-15RE03, Office of Consumer Counsel Written Comments on PURA Straw Proposal, May 8, 2025, at 4.

planning process would transform equity from a procedural requirement into a substantive factor that influences actual investment decisions.

III. Conclusion

We appreciate the opportunity to present our key priorities in this brief. Our coalition remains available to elaborate on any aspect of our position or to address any questions that may arise during your review. We welcome further dialogue on these important regulatory matters and stand ready to provide additional information at your convenience.

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