

# Office of Consumer Counsel



## *At a Glance*

**ELIN SWANSON KATZ, *Consumer Counsel***

***Established - 1975***

***Statutory authority - Connecticut General Statute §16-2a***

***Central office - Ten Franklin Square, New Britain, CT 06051***

***Number of employees - 11***

***Recurring operating expenses - \$2,803,350***

***Organizational structure – Independent office. Department of Energy and Environmental Protection provides administrative support pursuant to Public Act 11-80.***

## **Mission**

***The Office of Consumer Counsel serves as a strong independent voice for Connecticut’s public utility and telecommunications consumers through advocacy and customer education.***

## **Statutory Responsibility**

The Office of Consumer Counsel’s (“OCC”) statutory responsibilities include:

- Advocating for Connecticut’s ratepayers in all matters relating to public service companies, electric suppliers, and certified telecommunications providers;
- Participating in any regulatory or judicial proceedings, federal or state, which involve the interests of Connecticut utility ratepayers, or matters affecting utility services provided in Connecticut;

- Representing utility ratepayers as a party to each contested docket before the Public Utilities Regulatory Authority (“PURA”);
- Appealing decisions, orders, or authorizations in any state regulatory proceeding impacting utility ratepayers;
- Addressing issues involving rate increases and ratepayer-funded programs, as well as matters concerning the reliability, maintenance, operations, infrastructure, and quality of service of utility companies, suppliers and providers; and
- Working actively with the Connecticut General Assembly, including the Energy and Technology Committee, in developing utility-related legislation in the best interests of consumers.

In addition to these statutory responsibilities, as of July 1, 2015, the Office of State Broadband (“SBO”) was established within OCC by the General Assembly. SBO is responsible for facilitating the availability of broadband access to every state citizen and increasing access to and adoption of high-speed broadband internet access networks in Connecticut. This is further discussed below.

### **Public Service - Fiscal Year 2015 – 2016**

This year, OCC increased public awareness of the issues and challenges Connecticut utility consumers faced, and advocated on behalf of consumers in many forums, including the following:

- Educating the public by providing timely, beneficial information to Connecticut consumers. During fiscal year 2015-2016, OCC and its frequent ally, AARP Connecticut, made several presentations at public forums to help constituents to “Know your Rights as an Electric Consumer.” These public forums were hosted by the Bloomfield Senior Center in July and September, 2015, at the Heritage Village senior community in Southbury, Connecticut on October 6, 2015, and at the Bethel AME Church in New Haven on October 26, 2015. The focus of the presentations was on electric supply choice, including (i) the right to remain on standard service as a safe option; (ii) the resources available to those interested in choosing a retail electric supplier, including changes that have made the electric bill more informative; (iii) rights of contract rescission within 72 hours and the \$50 cap on cancellation fees; (iv) some of the unscrupulous marketing tactics that have been used and how to avoid becoming a victim; and (v) the burgeoning issue of how to compare prices when retail suppliers are charging an up-front initiation fee. The forums were generally well-attended and active, with many questions from the audience.

Related to the above, OCC also began issuing its monthly Fact Sheet on the Electric Supplier Market. Using data that was ordered by PURA to be publicly filed, OCC analyzes and tracks whether customers paid more or less than the utility Standard Service Rate in a given month, and by how much. OCC also tracks the difference between the Standard Service Rate and what customers paid electric suppliers on a rolling annual basis. OCC also includes information on the companies that charged a significant number of their customers an amount that is materially higher than the Standard Service Rate. This information is intended to educate consumers, policy-makers, and advocacy groups concerning the state of the market from the perspective of what customers are actually paying for retail electric supply.

- As part of OCC's effort to bring ultra-high speed Internet access to every address in Connecticut via the CTgig Project, pursuant to legislation effective July 1, 2015, Connecticut formed the Office of State Broadband (SBO) joining every other New England state in creating agencies or offices dedicated to promoting broadband access. The new SBO, a broadband advocacy organization within the Office of Consumer Counsel, will objectively examine the status of internet access speeds and prices in order to determine the level of demand in the Connecticut market for broadband services. Having determined that this high-tech manufacturing state has great need for affordable internet access, the SBO is dedicated to introducing competition in the market in order to drive access, affordability, and adoption of broadband services by every premise in the state.
- OCC was successful in persuading PURA to implement the concept of a statewide utility "pole administrator," appointed to manage access to utility poles, objectively assign priority of work on the poles, and perform audits of the work and safety status of utility poles across the state. PURA authorized the two Connecticut Electric Distribution Companies, Eversource and the United Illuminating Company ("UI"), to become the "single pole administrators" ("SPAs") for their respective territories across the state. As the full realization of the responsibilities and obligations inherent in developing the SPA process have evolved, and problems have emerged, OCC continues to be an active participant on the ongoing Working Group that underpins the SPA.
- OCC, with SBO, sponsored the *Connecticut Broadband Conference, Understanding Public And Private Partnerships For Developing High-Speed Broadband Internet Infrastructure: A Toolbox For Municipalities*, held at the Legislative Office Building on Wednesday, March 23, 2016, with various panels and Q&A sessions attended by municipal leaders, incumbent service providers, and featuring Comptroller Kevin Lembo, Economic Development Commissioner Catherine Smith, and Senator Beth Bye.

## Improvements/Achievements Fiscal Year 2015 – 2016

In Fiscal Year 2015-2016, OCC continued to operate as a fully independent state agency committed to effectively carrying out its statutory mandate. OCC's specific achievements this Fiscal Year include:

- **Savings to Consumers:** OCC achieved approximately \$500 million dollars in direct savings to Connecticut ratepayers in the 2015-2016 Fiscal Year through OCC's advocacy (along with other allies and stakeholders, including fellow state agencies) in dockets before PURA, court decisions, and advocacy in matters before the Federal Energy Regulatory Commission ("FERC") including the following:
  - a. Approximately \$200 million in annual savings from the Locational Installed Capacity ("LICAP") settlement involving companies that own large generator plants;
  - b. \$97.5 million in savings from the Eversource/Connecticut Light and Power ("CL&P") rate case;
  - c. \$58 million in customer benefits from the negotiated settlement in the United Illuminating Holdings Company merger with Iberdrola USA;
  - d. \$45 million in annual savings from the last UI rate case;
  - e. \$30 million in ratepayer benefits resulting from the Frontier acquisition of AT&T;
  - f. \$30 million in rate refunds and a projected \$25 million in electric transmission rate reductions due to FERC return on equity complaints;
  - g. Bill credits and rate freeze providing approximately \$20 million in benefits to Aquarion Water Company customers;
  - h. An overearnings and rate freeze settlement providing approximately \$16.5 million in ratepayer benefits to Eversource/Yankee Gas Company customers;
  - i. Bill credits and rate freeze providing approximately \$12 million in benefits to Connecticut Water Company customers; and
  - j. \$8.2 million in annual savings from the CL&P Storm Cost Recovery docket.
- **Advocacy in PURA Dockets:** OCC participated in hundreds of dockets in Fiscal Year 2015-2016 opened or re-opened by PURA, including:
  - a. On the last day of the 2014-2015 fiscal year, PURA issued a Proposed Final Decision in Docket No. 15-03-45, rejecting the Application of Iberdrola, S.A., et al, and UIL Holdings ("UIL"), (the parent of UI, Connecticut Natural Gas ("CNG") and Southern Connecticut Gas ("SCG")) for a Change of Control, based in large part on testimony filed by OCC. The Applicants withdrew their application in that docket before a final decision was issued, and filed an amended application on July 31, 2015, which became Docket No. 15-07-38. OCC participated just as actively in the new docket. Working with various other stakeholders, OCC was able to reach a complex and groundbreaking settlement agreement that increased the ratepayer benefits of the proposed merger by \$88 million. In addition to benefits negotiated by and with other

parties, OCC advocated strongly for, and was able to achieve, the following: (1) a set of “ring fencing” provisions designed to insulate UIL’s local utilities from potential financial risks of the acquiring company; (2) \$40 million in rate credits to customers of UIL’s local utilities; (3) provisions requiring local control of the UIL utilities; (4) an estimated UI customer benefit of \$5 million associated with limited rate recovery for \$50 million of distribution storm resiliency investment at UI; and (5) \$1.6 million in savings for customers of SCG resulting from accelerating the replacement of cast iron and bare steel pipe over the next three years.

- b. In Docket No. 13-02-08, OCC’s advocacy encouraged PURA’s imposition of a \$13,000 civil penalty against electric supplier Public Power, LLC for violations of Connecticut statutes and regulations, including the failure to maintain customer complaints and violation of other consumer protection laws.
- c. In Docket No. 06-12-07RE05, OCC’s advocacy encouraged PURA’s implementation of a \$60,500 civil penalty against electric supplier Liberty Power Holdings, LLC for violating Connecticut law by back-billing commercial customers without establishing a payment plan.
- d. OCC participated in Docket No. 14-05-12, which led to establishment of PURA’s Cybersecurity Oversight Program, a cutting edge effort aimed to improve communication and understanding between public utilities and public officials on utility-related cybersecurity issues.
- e. In Docket No. 15-02-06RE01, OCC’s advocacy appears to have influenced PURA’s declaratory ruling that Yale University’s proposed generation project qualifies as a new customer-side distributed resource developed in Connecticut that adds electric capacity on and after January 1, 2006, and thus, is eligible to participate in both the Natural Gas Rebate and Demand Ratchet Waiver Incentive programs. This precedent furthers state energy and environmental policies by encouraging replacement of aging Combined Heat and Power units.
- f. In Docket No. 14-07-19RE01, PURA considered specific implementation issues arising from the residential electric bill redesign initiative of Section 1 of Public Act 14-75, *An Act Concerning Electric Customer Consumer Protection*, which was enacted to facilitate customers’ ability to compare pricing policies and charges among electric suppliers. OCC advocacy assisted with implementation of important consumer tools such as “Next Month’s Rate” on customer bills.
- g. In July, 2015, the Office of Consumer Counsel and the Attorney General’s office settled a PURA investigation proceeding into the marketing practices of electric retail supplier North American Power LLC (“North American”), in Docket No. 13-02-06. Through the settlement, North American Power did not admit wrongdoing, but did agree to pay \$2.6 million in charitable donations to Operation Fuel, which provides energy assistance to low-income households.

PURA opened the investigation following numerous complaints from customers that North American Power offered a low introductory rate that was quickly replaced by a variable rate that was substantially higher than standard service rates. OCC's active involvement in PURA's investigation proceeding was part of our continuing effort to protect customers from escalating variable rates and to ensure that retail supplier marketing materials are clear, informative, and accurate, such that customers are empowered to make choices based on all the facts.

- h. OCC participated actively and achieved a positive outcome for consumers in PURA Docket No. 15-06-15, An Act Concerning Variable Electric Rates, which was decided in September, 2015. In this proceeding, PURA was implementing Public Act 15-90, which prohibited retail electric suppliers from charging variable rates under contracts entered into or renewed after October 1, 2015. OCC successfully urged PURA to interpret the Public Act in such a way as to require that retail suppliers must offer an initial price term that cannot rise and that lasts for at least four months. After the initial term, pricing in each renewal term must also be at rates that cannot rise during the term, and each renewal term must also be for at least four months. As OCC put it at the time, "the future is in four month (or more) pricing blocks," under PURA's ruling. This outcome was a vital new protection for Connecticut electric customers. After existing contracts ended, no longer would customers be subjected to variable rates that can fluctuate every month, often at exorbitantly high rates. Coupled with other protections for which OCC advocated and the Legislature approved that have given the customers advanced notice of rate changes and advance rate information right on the electric bill, Connecticut has been able to implement groundbreaking customer protections in the area of electric retail choice.
- i. In June, 2016, OCC, including the SBO within OCC, filed with PURA a Petition for Investigation into Facilitating the Use of the Municipal Gain for Broadband Internet Services. The "Municipal Gain" is a space on each utility pole or underground conduit which is reserved by state law (General Statutes § 16-233) for use by municipalities for any purpose. OCC and SBO have been working with municipalities who are interested in using the Municipal Gain to promote access to broadband (a/k/a high-speed Internet) services for their residents, businesses, and municipal facilities in accordance with the universal broadband access policies of the State of Connecticut. In some instances, municipalities are interested in developing ultra-high-speed optic networks that are capable of transmitting information at speeds of at least a gigabit per second (a/k/a "a gig") – that is, at the rate of one billion bits per second or one thousand megabits per second. However, contractual, procedural, and economic barriers have so far hindered use of the Municipal Gain for broadband services. Such barriers include the need for interpretation and enforcement of relevant laws, unclear or incomplete rules and procedures for making utility poles ready for new attachments, cost-allocation issues surrounding the use of the Municipal Gain, and pole attachment agreement provisions required by some pole owners

that limit use of the Municipal Gain. OCC and SBO filed the Petition with PURA in an attempt to remove these barriers and to provide an additional opportunity and path for this State to make progress in broadband infrastructure development, which OCC and SBO view as a key to our economic future.

- j. In Docket No. 13-06-02RE02, OCC supported the entrance by Connecticut's natural gas local distribution companies (Connecticut Natural Gas, Southern Connecticut Gas, and Eversource/Yankee Gas) into certain interstate gas pipeline contracts. The purpose of the contracts is to support the financing and development of new regional gas pipeline infrastructure and to ensure that Connecticut will have sufficient access to gas to support the natural gas expansion plan. The natural gas expansion plan allows customers to convert to natural gas from other heating fuels, and is a key goal of Governor Malloy in the State's Comprehensive Energy Strategy, the details of which plan were developed by DEEP and then approved in rates in a PURA proceeding. PURA agreed with OCC's position, and approved the contracts in a final decision dated February 3, 2016.
  - k. In PURA Docket Nos. 09-06-10RE02, 09-10-08RE02, and 08-03-19RE03, OCC entered into settlement agreements with the Hazardville Water Company, Avon Water Company, and Torrington Water Company whereby the water companies agreed to forego general rate increases for a two-year period. The water companies were allowed to roll-in their Water Infrastructure and Conservation Adjustment (WICA) into base rates. This allowed the companies to continue pursuing infrastructure replacement through the WICA program in between rate cases. Additionally, as part of the settlements, customers of Avon and Hazardville will receive rate refunds associated with prior period overearnings.
- **Legislative Advocacy**: The Office of Consumer Counsel actively participated in the 2016 legislative session, testifying on numerous utility and telecommunications measures.
    - In the telecommunications area, OCC was invited to participate in the steering committee formed by SB-445, Establishing A Health Data Collaborative Working Group. The initial goal is to develop procedures for use by the state's Commission on Economic Competitiveness to establish a bioscience and health data network collaborative task force. Ultimately, the goal is to develop a strategic plan for the development of an ultra-high-speed broadband network to support the digital infrastructure needs of the bioscience, health care and insurance industries. The Working Group has a report due to the commerce and technology joint committees during January 2017, and it is anticipated that more work on this topic will follow.

- In addition, OCC led a spirited, but ultimately unsuccessful effort, to pass SB-331, designed to implement a high-speed internet service pilot program in several Connecticut municipalities in order to build a critical mass of community fiber network customers across the state so as to jumpstart further investment via public-private partnerships to increase broadband speed internet access across the state.
- The Consumer Counsel also participated in the Energy & Technology Committee’s legislative hearing in March 2016, focused on “The Adequacy of Energy Supplies in Nuclear Power in the State.” This hearing focused on potential legislative actions that might be considered to ensure the continued financial viability of Connecticut’s nuclear facilities. OCC’s testimony noted the critical role played by the nuclear facilities in New England’s energy markets, but also focused on the need to ensure that there is transparency in any process created to address any perceived risk to Connecticut’s nuclear facilities, that there be a demonstration of financial need if fiscal support is requested from electric ratepayers, and that ratepayers share in any profit upswings if they are being asked to help nuclear facilities manage financial downturns.
- **Department of Energy and Environmental Protection (DEEP), Bureau of Energy and Technology Policy (BETP) Advocacy, and Energy Procurement Activity:**
  - OCC staff worked with BETP staff to develop consumer protections for the Shared Clean Energy Facilities Pilot Program in its proceeding to implement Public Act 15-113. OCC also filed comments in that proceeding in response to BETP’s request for same.
  - Per state statute, OCC has also been involved in this fiscal year with several major procurements of new infrastructure to be developed with the goal of meeting electric reliability needs, electric costs, emissions goals, and renewable energy portfolio requirements. These procurements have included a multistate effort to procure large-scale renewable energy facilities, in some cases with new high-voltage transmission lines, a state effort to procure new small renewable energy facilities (2-20 megawatts) or energy storage, and an effort to procure the development of new gas pipeline infrastructure or new liquefied natural gas facilities in order to ensure adequate access to gas for power plants. None of these procurements are complete as of the time of this writing, but results should be available in the next annual report.
  - In addition, OCC continued its involvement this year in the periodic procurements of electric energy for standard service customers, conducted by the State Procurement Manager, in consultation with the utilities and OCC. The procurements have led to very competitive rates for standard service customers.
- **Federal Advocacy:** OCC continued to be involved in this fiscal year with numerous cases at FERC and in the federal courts, and this year, most of the significant action was on the



transmission side of the business, whereas in most prior years the primary focus has been on the earnings by power plants in the ISO New England markets. Of note:

- OCC continued to participate in litigation (FERC Docket #s EL13-33 and EL14-86) involving the investment returns earned by the high-voltage transmission lines by utilities in New England. A preliminary ruling by a FERC Administrative Law Judge would lead to approximately \$58 million in savings for Connecticut customers, but it is pending before the full Commission and would be subject to appeal from the federal courts after that.
  - OCC was also actively involved in litigating and ultimately settling a dispute at FERC (Docket No. 15-85) with Nextera, owner of New Hampshire Transmission, over its efforts to recovery planning costs for a proposed transmission line that was ultimately not selected by the grid ISO-New England. The settlement led to refunds of approximately \$6.5 million in ratepayer costs.
  - As to the “bigger picture,” OCC is part of a coalition of New England state agencies that is seeking at FERC (Docket No. EL16-19) to ensure that the annual rate filings by transmission owning utilities (including Eversource and Avangrid/UI) will be understandable and subject to questioning in advance by government parties. So far, the negotiations have been collaborative and they continue before a FERC Settlement Judge. This is a partial list of the types of items that OCC is involved in at the federal level.
- **Advocacy in Court Cases:** In Fiscal Year 2015-2016, OCC saw many longstanding cases finally brought to a conclusion in the State court system, typically by settlement and with significant financial and other benefits to ratepayers. Cases that settled included all but one of the cases involving electric submetering by prominent landlord PMC; appeals by UI of PURA decisions involving annual accounting reconciliations; and an OCC appeal of a CNG rate case involving a tax issue and an accounting tracker issue. The UI and CNG cases were settled as part of the aforementioned settlement of the UI-Iberdrola merger.
  - **State, National and Regional Advocacy in Key Organizations, Committees, and Boards**
    - a. In November 2015, Consumer Counsel Katz was named as the Treasurer of the National Association of State Utility Consumer Advocates (“NASUCA”), in which OCC is a highly active member. More recently, she was elevated to Vice-President of the organization. OCC was instrumental in the hiring of a new Executive Director of NASUCA, under whose leadership NASUCA has seen an increase in revenues, membership, and national profile.
    - b. On June 6, 2016, OCC Staff Attorney, Lauren Bidra, represented OCC on a panel entitled “*Protecting Consumers from Supplier Fraud and Abuse: Recent Achievements and Next Steps*” at the Mid-Year Meeting of NASUCA. Attorney Bidra outlined some of the important consumer protections developed in

Connecticut as a result of legislative and regulatory action, and discussed OCC's outreach and collaborative work on the supplier market front.

- c. Bill Vallee, state Broadband Policy Coordinator of the State Broadband Office, continued his membership in the state Commission for Educational Technology (CET) which is the principal technology policy advisor and governance board for the state government regarding internet access and fiber networking, also responsible for the development, oversight, and direction of state-wide technology goals, including the CT Education Network. Bill is also a member of the CET's Data & Privacy Advisory Council which is designing strategic plans for future uses for fiber network and broadband access to the internet.
- d. Bill Vallee also represents OCC as a voting member and chair of the Audit Committee of the board of directors of the Connecticut Economic Resource Center (CERC, a nonprofit corporation and public-private partnership that provides economic development services consistent with state strategies, in cooperation with the public service companies and Department of Economic and Community Development.
- e. Joseph Rosenthal, a Principal Attorney for OCC, continued to be on the Coordinating Committee for the Consumer Liaison Group ("CLG"), a New England-wide entity which hosts public forum on a quarterly basis to consider significant topics affecting electricity consumers, with a particular focus on high-use commercial and industrial customers. In March, 2016, Connecticut hosted the quarterly forum on the topic "Solar Development in New England: Consumer Protection, Costs and Benefits, and What does it Mean for the Wholesale Market" at the Cromwell Radisson. Attorney Rosenthal moderated the panel. Panelists included Consumer Counsel Katz, representatives from Eversource, NRG, Connecticut Green Bank, ISO-New England, and Synapse Energy Economics. Being involved with CLG is part of OCC's effort to work with stakeholders to try to reduce electricity prices, promote electric reliability, and promote fair and effective electric rate policies.
- f. Consumer Counsel Katz, Dave Thompson, and Joe Rosenthal were the active OCC personnel who were involved with the discussions among regional electric stakeholders called the New England Power Pool ("NEPOOL"). NEPOOL meetings are often attended by nearly 100 representatives of various electric industry participants, including utilities (privately-owned and publicly-owned), power plant owners (renewable, fossil, and nuclear), demand response developers, retail suppliers, heavy industrial users, and parties that serve the public interest (like OCC). OCC is the sole Connecticut agency that is a voting member of NEPOOL, which functions almost as a quasi-legislature, with proposals, votes, coalitions, and the like. The recommendations of NEPOOL stakeholders do not generally bind the grid operator, ISO New England, but more often than not, the views of a clear majority of NEPOOL stakeholders usually hold sway in the region or at FERC.

- g. OCC is a member of the State Water Planning Council Advisory Board and has participated in the Connecticut Small Water Systems Working Group. In these groups, OCC has ensured that ratepayer interests are represented as state water policy continues to be developed and implemented.
- h. On June 7, 2016 at the New England Conference of Public Utilities Commissioners in North Falmouth, MA, Richard Sobolewski, OCC's Supervisor of Utility Financial Analysis, participated in panel discussion of water and regulatory issues entitled, "What do Regulators Think?" This panel discussed the ratemaking approaches in the various New England states centering on water infrastructure replacement, water system operational and financial viability, customer rate stability, and improved service quality, as well as the collaborative regulatory process experienced in Connecticut. Also on June 7, 2016 at NECPUC, Mr. Sobolewski participated in a Water Planning Roundtable discussion with PURA Vice Chairman Jack Betkoski, OPM Under Secretary David LeVasseur, and Connecticut Water Company's Vice President Maureen Westbrook.
- i. On April 29, 2016, at the Spring Meeting of the New England Chapter of the National Association of Water Companies in Lenox, MA, Richard Sobolewski served on a panel to discuss the operational, financial and regulatory issues facing small water systems within New England. The panel highlighted legislative and regulatory actions that have occurred in the recent past to improve viability and to ensure safe and reliable water service, as well as to discuss new and continuing areas of concern.
- j. Mr. Sobolewski's reputation as a national expert of water regulation also resulted in a request from the Missouri state legislature to testify before a Missouri's Senate Interim Committee on Utility Regulation and Infrastructure Investment in August 2016.. Although work commitments prevented him from appearing in person, Mr. Sobolewski submitted written testimony on the collaborative process that led to Connecticut's new ratemaking initiatives such as the Water Infrastructure and Conservation Adjustment (WICA) program, as well as the state's revenue adjustment mechanism (RAM) for its investor owned water utilities.
- k. On March 31<sup>st</sup>, 2016, OCC Rate Specialist Taren O'Connor spoke on a panel entitled "*M&V 2.0 for the Utility 2.0*" at the Northeast Energy Efficiency Partnership ("NEEP") Annual Public Meeting Forum. O'Connor discussed the ratepayer advocates' role in, and perspective on, the emerging world of integrated demand energy resources ("DERs") and the growing interest in new data collection tools and methods. Connecticut is currently crafting pilot programs to begin to incorporate demand response into its energy efficiency portfolio, and OCC is happy to be part of this important development.

- l. OCC has continued its participation in the state's Low Income Energy Advisory Board ("LIEAB"), which helps in the planning, development and implementation of energy-assistance programs and low-income weatherization programs and policies. OCC's Taren O'Connor was named Vice-Chairperson to the LIEAB in June, 2016.
- m. OCC has continued its work on the state's Energy Efficiency Board ("EEB"), with OCC's Taren O'Connor being elected as the Board's Chairperson in June, 2016, after having served as Vice Chairperson for several years. The EEB serves Connecticut ratepayers through the programs it offers that act as a first line of defense against high winter energy prices. The programs service residential consumers, businesses, government agencies, institutions such as schools and hospitals, and Connecticut communities, by educating consumers, offering financial incentives along with technical and installation assistance, and providing energy resources at lower costs. OCC's Taren O'Connor continues her role as the Chair of the EEB Residential and Evaluation Committees and as a member of the EEB Consultant Committee.

A main focus of the EEB has been the 2016-2018 Conservation and Load Management ("C&LM") Plan ("Plan"). In addition to contributing to policy decisions on program design and allocation of resources, OCC advocated for audits which will take a periodic and independent look at conservation funds. OCC also advocated for an appropriate funding level for both program evaluations and performance management incentives ("PMI") for the utility companies.

The EEB also worked on the transition of Connecticut's flagship energy efficiency program, Home Energy Solutions ("HES") to a market-based program. The program is now open to 42 vendors (from 17), and OCC made a concerted effort to ensure appropriate Quality Assurance/Quality Control is in place as the program expands. An average of 980,000 Connecticut households and 6,200 Connecticut businesses and municipalities participate in the HES program each year.

OCC is pleased to be involved in the efforts through the EEB that have resulted in significant energy, economic, behavioral and environmental benefits to Connecticut. It looks forward to working on new efforts such as demand response initiatives through the EEB in 2016-2017.

- **Advocacy at the Connecticut Siting Council**

Docket No. 461, in a Decision and Order dated May 12, 2016, the Connecticut Siting Council ("Council") denied without prejudice Eversource Energy's ("Eversource") application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 115-kilovolt (kV) bulk substation located at 290 Railroad Avenue, Greenwich, Connecticut, and two 115-kV underground

transmission circuits extending approximately 2.3 miles between the proposed substation and the existing Cos Cob Substation in Greenwich, and related substation improvements (Project). The Council found that Eversource had not adequately demonstrated the public need for the Project. OCC was an active Party to this docket, and filed a Brief advocating that the Council reject Eversource's application, given that it had not proven a public need for the \$140 million Project, among other things.

- **Working Group Advocacy**

- OCC has continued to participate in the Supplier Working Group, which was initiated by PURA in 2011 as a forum to address changes in Connecticut's retail energy market. The Supplier Working Group currently provides a collaborative process for stakeholders to consider current regulatory and legislative supplier issues, and to discuss and implement best practices with regard to the Rate Board.
- OCC participated in the Electronic Business Transaction ("EBT") Working Group, which was initiated to develop the processes necessary to exchange data between licensed electric suppliers and the electric distribution companies to implement the residential electric bill redesign initiative of Section 1 of Public Act 14-75, *An Act Concerning Electric Customer Consumer Protection*.

### **Information Reported as Required by State Statute**

OCC has complied with all state requirements regarding affirmative action and equal opportunity, most particularly Conn. Gen. Statutes §§46a-70 through 46a-78, and is in compliance with all federal requirements.