

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Martha Coakley, Attorney General of the Commonwealth of Massachusetts, <i>et al.</i>, Complainants,)	
)	Docket Nos. EL11-66-001
)	EL11-66-004
v.)	EL11-66-005
)	
Bangor Hydro-Electric Company, <i>et al.</i>, Respondents.)	

**RESPONSE OF THE NEW ENGLAND STATES COMMITTEE ON ELECTRICITY
OPPOSING THE REQUESTS FOR SHORTENED COMMENT PERIOD AND
EXPEDITED CONSIDERATION IN THE MOTION OF CENTRAL MAINE POWER
COMPANY, EVERSOURCE ENERGY SERVICE COMPANY, AND UNITED
ILLUMINATING COMPANY FOR A STAY AND THE JOINT MOTION OF THE NEW
ENGLAND TRANSMISSION OWNERS AND ISO NEW ENGLAND INC. FOR
AN EXTENSION OF TIME TO COMPLETE REFUNDS**

Pursuant to Rule 213(a)(3) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or “the Commission”),¹ the New England States Committee on Electricity (“NESCOE”) hereby responds to a common request in two recently-filed motions in the above-captioned matter seeking shortened comment periods and expedited consideration. On April 2, 2026, certain New England Transmission Owners (“NETOs”),² together with ISO

¹ 18 C.F.R. § 385.213(a)(3).

² As noted in the motion, for the purposes of the filing, the NETOs are: Versant Power f/k/a Emera Maine f/k/a Bangor Hydro-Electric Company, Central Maine Power Company, Green Mountain Power Corporation, New England Power Company d/b/a National Grid, New Hampshire Transmission, LLC, Eversource Energy Service Company (on behalf of its operating company affiliates: The Connecticut Light and Power Company, NSTAR Electric Company, and Public Service Company of New Hampshire, each of which is doing business as Eversource Energy), The United Illuminating Company, Unitol Energy Systems, Inc., Fitchburg Gas and Electric Light Company, Vermont Electric Power Company, Inc., Vermont Transco, LLC, and The Narragansett Electric Company d/b/a Rhode Island Energy. *Coakley v. Bangor Hydro-Elec. Co.*, Motion, Docket Nos. EL11-66-001, EL-11-66-004, EL-11-66-005, at n.2 (Apr. 2, 2026).

New England Inc (“ISO-NE”), filed a Motion for an Extension of Time to Complete Refunds, and Request for Shortened Comment Period and Expedited Consideration (the “Motion to Extend”) with the Commission.³ Additionally, also on April 2, 2026, Central Maine Power Company, Eversource Energy Service Company, and United Illuminating Company filed a motion seeking a stay of the Commission’s recent order in this matter pending appeal (the “Motion to Stay,” and together with the Motion to Extend, the “Motions”). Both the Motion to Extend and the Motion to Stay include a request for a shortened comment period and expedited consideration. NESCOE files this response to provide the Commission with its views of the Motions’ common request for shortened comment periods and expedited consideration.⁴

I. DESCRIPTION OF COMMENTER

NESCOE is the Regional State Committee (“RSC”) for New England. It is governed by a board of managers appointed by the Governors of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont and is funded through a regional tariff that ISO-NE administers.⁵ NESCOE’s mission is to represent the interests of the citizens of the New England region by advancing policies that will provide electricity at the lowest possible price over the long term, consistent with maintaining reliable service and environmental quality.⁶ This Response represents the collective view of the six New England states.

³ *Id.*

⁴ NESCOE reserves the right to comment on the substance of the Motions.

⁵ *ISO New England Inc.*, 121 FERC ¶ 61,105 (2007).

⁶ *See* Sept. 8, 2006 NESCOE Term Sheet that was filed for information as Exhibit A to the Memorandum of Understanding among ISO-NE, the New England Power Pool (“NEPOOL”), and NESCOE (the “NESCOE MOU”). Informational Filing of the New England States Committee on Electricity, Docket No. ER07-1324-000 (filed Nov. 21, 2007). Pursuant to the NESCOE MOU, the Term Sheet is the binding obligation of ISO-NE, NEPOOL, and NESCOE.

II. RESPONSE

On March 19, 2026, the Commission issued Opinion No. 594,⁷ directing the NETOs and ISO-NE to calculate and provide refunds for two distinct periods: (1) from October 1, 2011, through December 31, 2012, based on the statutory 15-months refund period provided for in Section 206(b) of the Federal Power Act; and (2) from October 16, 2014, through March 19, 2026, based on the Commission's broad remedial authority to correct legal error, directing that the NETOs provide refunds for the difference between the 9.57% base rate, effective prospectively from October 16, 2014, and the 10.57% base rate the NETOs have been collecting since that date.⁸ The Commission's directive requires the New England Transmission Owners to complete all associated refunds within 30 days of the Order.⁹

The Motion to Extend requests an extension of the deadlines for completing refunds until December 13, 2027, and extension of the deadline for submitting a refund report until February 1, 2028.¹⁰ The Motion to Stay requests that the Commission stay the Order pending judicial review.¹¹ Both Motions include an identical request for a shortened comment period of three (3) business days, *i.e.*, until April 7, 2026, and expedited consideration within four (4) business days thereafter, *i.e.*, by April 13, 2026.¹²

⁷ See *Coakley v. Bangor Hydro-Elec. Co.*, Opinion No. 594, 194 FERC ¶ 61,208 (Mar. 19, 2026) (“Opinion No. 594”).

⁸ Opinion No. 594 at PP 41, 474-476.

⁹ See *id.* at Ordering Paragraphs (B) and (C).

¹⁰ Motion to Extend, at 3.

¹¹ Motion to Stay, at 13.

¹² *Id.* at 4, 8.

NESCOE wishes to communicate to the Commission its extreme disappointment and frustration with the incredibly abbreviated comment period that the Motions have requested. As reflected in the Order and the Motions, ratepayers have essentially been overcharged by the NETOs since 2011 in the amount of over a billion dollars. In the meantime, ratepayers in the region have been struggling to pay increasingly unaffordable electricity costs. Notwithstanding the foregoing, the Motion to Extend seeks to delay refunds for over a year and a half and the Motion to Stay seeks to delay them indefinitely. These requests to delay refunds to ratepayers should be viewed with the highest level of scrutiny, something that can only be accomplished by ensuring that the Commission has robust feedback from intervenors.

In that light, the request for a shortened time period of only three (3) business days for responses is particularly egregious. The shortened time period for comments requested by the Motions in this matter does not allow interested intervenors any meaningful amount of time to contemplate the implications of the requests on ratepayers nor to prepare sufficient responses. Moreover, the Motions' requested three (3) day expedited comment period was included in pleadings filed the day before Good Friday, a day when many offices in New England are closed for business. Further, given that this docket dates back over a decade and has not seen activity in many years, the service list is likely outdated, making it more difficult for intervenors to track activity and be able to comply with expedited filing deadlines.

Given the potential ratepayer impacts associated with the refunds at issue in this docket as well as the practical impossibility for interested parties to prepare sufficient responses to the Motions, a three (3) day comment period is insufficient and unreasonable. The Commission should reject the request for a three (3) day comment period and provide intervenors with a

meaningful opportunity to share well-constructed, well-informed feedback on the Motions so that their impacts can be fully understood and weighed appropriately.

III. CONCLUSION

NESCOE respectfully requests that the Commission consider this Response and reject the Motions' common request for expedited comment periods.

Respectfully Submitted,

On behalf of NESCOE:

/s/ Shannon Beale

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Date: April 7, 2026

CERTIFICATE OF SERVICE

In accordance with Rule 2010 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day served by electronic mail a copy of the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Osterville, Massachusetts this 7th day of April, 2026.

/s/ Shannon Beale

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