



STATE OF CONNECTICUT
NEWS RELEASE

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FOR IMMEDIATE RELEASE

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**STATEMENT OF CONSUMER COUNSEL ELIN SWANSON KATZ
ON CL&P STORM DOCUMENTS**

(April 9, 2013-New Britain, CT) - I am deeply troubled by the allegations contained in the Attorney General's filing with the Public Utilities Regulatory Authority ("PURA") this morning concerning Connecticut Light & Power's ("CL&P") conduct during and subsequent to the power outage following the October 2011 Nor'easter ("Outage"). In addition to failing to provide the public and state and local officials with the best available information concerning estimates for storm restoration following the October Nor'easter, it appears that CL&P also withheld key internal documents concerning this issue during the Public Utilities Regulatory Authority's ("PURA") investigation of the Outage.

Although my office, the Office of Consumer Counsel ("OCC"), is still reviewing the Attorney General's filing, we are distressed by what we have seen so far. The evidence at issue concerns CL&P's repeated public stance that it would restore 99% of customers in each town by midnight on Sunday, November 6. CL&P claimed in the PURA proceeding that it was reasonable to hold that stance into mid-morning of November 6. In OCC's Brief in that proceeding, my office cited evidence to support a finding that "there was no reasonable belief at CL&P on November 4 or later that the Sunday at midnight deadline would be met." From my review of the Attorney General's filing, it appears that there were documents in CL&P's possession which even more clearly demonstrate that continuing to inform the public that it would meet the 99% restoration by midnight standard was indeed unreasonable, as OCC claimed, and that there was a significant gap between CL&P's publicly-expressed confidence and their internal communications. This evidence should have been produced in response to interrogatories issued to CL&P by the Attorney General as well as my office. Instead, it was apparently withheld until it was either too late in the proceeding for it to be used, or until well after the proceeding was over.

In failing to provide these requested documents to PURA, CL&P impeded a full and fair investigation of their actions during the Outage. As a regulated monopoly

charged with delivering an essential service – electricity - to 1.2 million customers, CL&P has a duty of honesty and candor to the public. As set forth in OCC’s brief in the PURA proceeding, and further validated in the Attorney General’s filing today, CL&P management has violated that trust. My outrage is personal on this issue, as I sat in town EOCs during the Outage and heard town officials pleading with CL&P for accurate information on restoration times, so they could assess resource needs for shelters, plan for school and business closings, and decide whether to advise cold, exhausted residents to leave town or to stick it out. These management actions also do a disservice to the many men and women of CL&P who worked long and hard during the Outage, climbing utility poles in cold, dark, and dangerous conditions; guarding downed utility lines; or spending countless hours away from their own families working as liaisons in municipal EOCs.

CL&P has just filed documents with PURA seeking reimbursement for \$422.3 million in costs relating to the Outage. OCC will vigorously investigate the allegations made in the Attorney General’s filing today, request appropriate orders from PURA to ensure such actions are not tolerated in the future, and seek an appropriate reduction in the amount of storm cost recovery allowed by PURA. This type of behavior by CL&P demonstrates the need for continued strong, independent regulatory oversight of our utilities, and my office will continue to take seriously its role in investigating, auditing, and evaluating claims made by the utilities in all proceedings affecting utility customers.

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The Office of Consumer Counsel (OCC) is the State of Connecticut’s advocate for all utility ratepayers. OCC seeks to ensure just and reasonable rates and reliable utility service for customers of Connecticut’s electric, gas, telephone, and water utilities and reasonable protection for cable television customers. For more information, visit www.ct.gov/occ.