

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

Eversource Energy	)	Docket No. ER26-2389-000
ISO New England Inc.	)	

**ANSWER OF ACADIA CENTER IN OPPOSITION TO
MOTION FOR EXTENSION OF TIME**

Pursuant to Rule 213 of the Federal Energy Regulatory Commission’s (“Commission” or “FERC”) Rules of Practice and Procedure,¹ Acadia Center respectfully submits this Answer opposing the September 2, 2026, Motion for Extension of Time and Expedited Action filed by the New England Transmission Owners (“NETOs”).² The NETOs request a thirty-day extension of the deadline for reply briefs, from September 28 to October 28, 2026. The Motion should be denied because the NETOs have failed to demonstrate good cause to modify the briefing schedule established by the Commission.

With its Order Accepting and Suspending Tariff Revisions, and Establishing Paper Hearing Procedures dated June 29, 2026,³ the Commission established a two-stage paper-hearing process providing (i) that initial briefs would be due sixty days from the date of the Order (i.e. August 28, 2026), (ii) that reply briefs would be due 30 days after the date that initial briefs were

¹ 18 C.F.R. § 385.213(d)(1) (2026).

² For purposes of this filing, the NETOs are: Central Maine Power Company, 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), Fitchburg Gas and Electric Light Company, The Narragansett Electric Company d/b/a Rhode Island Energy, New England Power Company d/b/a National Grid, New Hampshire Transmission, LLC, The United Illuminating Company, Unitil Energy Systems, Inc., and Versant Power.

³ Order Accepting and Suspending Tariff Revisions, and Establishing Paper Hearing Procedures, 195 FERC ¶ 61,258, ¶ 48 (June 29, 2026) (“June 29 Order”)

due (September 28, 2026), and (iii) that no additional answers or briefs would be permitted thereafter. The NETOs identify no additional circumstance justifying an extension that wasn't apparent by the time interventions were filed in this proceeding and the Commission issued its June 29 Order. No unforeseen circumstance thus prevents NETOs from complying with the two-stage paper-hearing process established by the Commission.

NETOs Motion relies principally on the volume of the initial briefs and accompanying Exhibits filed August 28, the complexity of the record, and the intervening Labor Day holiday. These foreseeable circumstances cited by NETOs do not justify doubling the response period established by the Commission for the filing of reply briefs.

The volume of the August 28 initial briefs must be considered in context. The paper hearing concerns a discrete issue identified by the Commission: the PTO AC's application of the Commission's revised return on equity ("ROE") methodology, as developed in Opinion Nos. 569 et seq.⁴ and 594⁵ (the "Opinion 594 Methodology") to the prescribed October 1, 2025, through March 31, 2026, study period. The NETOs were parties to the underlying Section 205 filing in this proceeding, sponsored the McKenzie testimony on which the proposed 11.39 percent ROE rests, and have been litigating the methodological issues presented here since well before the initial briefs were filed on August 28. The opposing initial briefs therefore do not confront the NETOs with an unfamiliar record requiring 60 additional days of study.

Neither is there any reason that reply briefs should receive the same 60-day preparation period as the initial briefs. Initial briefs required the parties to develop affirmative position statements, prepare expert testimony, and assemble exhibits and workpapers. Reply briefs serve

⁴ *Ass'n of Bus. Advocating Tariff Equity v. Midcontinent Indep. Sys. Operator, Inc.*, Opinion No. 569, 169 FERC ¶ 61,129 (2019), order on reh'g, Opinion No. 569-A, 171 FERC ¶ 61,154 (2020), order on reh'g, Opinion No. 569-B, 173 FERC ¶ 61,159 (2020).

⁵ *Coakley v. Bangor Hydro-Electric Co.*, Opinion No. 594, 194 FERC ¶ 61,208 (Mar. 19, 2026).

the narrower purpose of responding to the arguments and evidence presented in the initial briefs. The Commission's decision to provide 60 days for initial briefs and 30 days for reply briefs reflects that distinction and the level of effort required for each. The NETOs' proposal would give equal time to two discrete stages of briefing that are inherently different and inequivalent.

In its June 29 Order, the Commission both suspended the proposed 11.39 percent ROE for the maximum allowed five-month period and established the paper hearing procedures to allow sufficient time to resolve the pending issue in this proceeding prior to the date the proposed ROE is scheduled to become effective. NETOs' requested extension would require the Commission to reduce by half the amount of time it had allocated to itself for its deliberations and would leave the Commission scarcely more than four weeks to resolve the issue pending in this proceeding. Delaying completion of the record would thus reduce the time available to the Commission to determine whether NETOs have met their burden of proving the proposed increased ROE is just and reasonable before it becomes effective. The timing is not immaterial, and it undercuts NETOs' assertion that "no party would be harmed."⁶ Absent resolution of the pending issue before the Commission by November 30, ratepayers may be charged unnecessarily for an increased ROE that is ultimately determined by the Commission to be unjust, unreasonable, and thus invalid, requiring the return of amounts collected in excess of an appropriate, Commission-approved lower rate. The potential for harm to ratepayers is incontrovertible, and it is one the Commission sought to avoid by establishing the paper hearing process in its June 29 Order.

The precedents cited by the NETOs do not establish that an extension is warranted, much less required in this proceeding. At most, the cited precedents substantiate that the Commission

⁶ New England Transmission Owners, *Motion for Extension of Time and Expedited Action*, Docket No. ER26-2389, at 3 (FERC Sept. 2, 2026).

has discretion to grant extensions where circumstances establish good cause. The precedents do not constitute a general rule that lengthy filings, an intervening holiday, or a desire for symmetry between initial and reply briefing periods present the existence of good cause justifying an extension. The Commission considered the nature of the issue to be resolved in this proceeding and exercised its discretion by establishing the paper hearing process specified in its June 29 Order. That paper hearing process affords sufficient time for the Commission to resolve the issue pending in this proceeding prior to the application of the proposed ROE on November 30. An extension of the time allowed to complete the record in this proceeding puts resolution of the pending issue by November 30 in jeopardy at the risk of causing avoidable harm to ratepayers.

For these reasons, Acadia Center respectfully requests that the Commission deny the NETOs' Motion for Extension of Time and retain September 28, 2026, as the deadline for reply briefs.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Answer of Acadia Center in Opposition to Motion for Extension of Time upon each person designated on the official service list compiled by the Secretary in this proceeding, in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010.

Dated at Somerville, Massachusetts, this 4th day of September 2026.

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