



To: Planning Advisory Committee
From: Consumer Advocates of New England
Cc: ISO New England, New England States Committee on Electricity
Date: June 20, 2025
Re: Consumer Advocate Priorities for Development of an “Asset Condition Reviewer”

The Office of the Massachusetts Attorney General (“Massachusetts AGO”),¹ the Connecticut Office of Consumer Counsel (“Connecticut OCC”),² the Maine Office of Public Advocate (“Maine OPA”),³ the New Hampshire Office of the Consumer Advocate (“New Hampshire OCA”),⁴ and the Rhode Island Division of Public Utilities and Carriers (“Rhode Island DPUC”)⁵ (collectively, the “Consumer Advocates of New England” or “CANE”) appreciate the recent engagement by ISO New England (“ISO-NE” or “the ISO”), New England States Committee on Electricity (“NESCOE”), and certain of the Participating Transmission Owners (“PTOs”) to explore the idea of establishing an independent entity to review asset condition spending, i.e., an “Asset Condition Reviewer.” Acknowledging ISO-NE’s May 15, 2025 “Update on Asset Condition Project Process,” as well as NESCOE’s June 9, 2025 “Asset Condition Reviewer Priorities,” CANE offers the following preliminary, high-level priorities regarding development of an “Asset Condition Reviewer” or other related processes (referred to as the “entity” herein to allow for future development of terminology). CANE expects to participate directly in the establishment of any

¹ The Massachusetts Attorney General is the chief legal officer as well as the ratepayer advocate of the Commonwealth of Massachusetts. *See* Mass. Gen. Laws ch. 12, § 11E.

² The Connecticut OCC is an independent state agency of the State of Connecticut that serves as the designated advocate for all ratepayers and consumers of electric, natural gas, water, and telecommunications utility services. *See* Conn. Gen. Stat. 16-2a(a).

³ The Maine OPA is an agency of the State of Maine directed by the Maine legislature to represent the interests of consumers of utility services in utility regulatory proceedings and other forums. *See* 35-A M.R.S.A. § 1702.

⁴ The New Hampshire OCA is designated as the official representative of New Hampshire’s residential utility customers. *See* N.H. R.S.A. 363:28.

⁵ The administrator of the Rhode Island DPUC is the entity appointed to represent the interests of Rhode Island consumers. *See* R.I. Gen. Laws § 39-1-1(c).

asset condition and / or transmission infrastructure monitoring entity, and looks forward to collaborating with ISO-NE, NESCOE, the PTOs, and other stakeholders to address asset condition review process deficiencies. CANE further expects to offer additional, more granular and specific priorities and process recommendations in response to any forthcoming ISO-NE proposed framework, and otherwise engage directly as the stakeholder process advances.⁶

CANE Preliminary Priorities:

1. Meaningful improvement to status quo Asset Condition Project (“ACP”) review processes and costs.
 - Entity must be sufficiently resourced, including staff with subject matter expertise and budget for internal and external consultation, to scrutinize proposed asset condition projects and costs.
 - Entity must provide robust, objective information to facilitate substantive stakeholder participation in existing ACP review processes (i.e., through the PAC) and subsequent Federal Energy Regulatory Commission processes.
 - Transparency is essential. Entity staff should have access to all data, resources, and personnel sufficient to perform the entity’s functions, and stakeholders should have open access to entity’s staff, data, and reports.
2. Functions: (1) individual ACP reviews, and (2) ongoing, proactive monitoring.
 - Individual reviews of ACPs should evaluate — among other things — need, scope, and timing of proposed projects and should issue substantive, objective opinions assessing proposed asset condition projects and costs.
 - Recognizing that the initial, primary focus of this entity will be to review individual ACPs, the mission of this entity should be broad enough to help promote efficient and cost-effective transmission planning and development in the region, including a consistent, proactive monitoring component moving forward. The monitoring function should include, at a minimum, periodic review and analysis of aggregate ACP cost trends within the context of overall transmission spending.^{7, 8}
3. Distinct mission and structural independence.
 - Entity should have a specific mission to scrutinize ACPs for affordability, efficacy, and cost-containment.

⁶ As a threshold matter, CANE has no objection to the “requirements” described in ISO-NE’s May 15, 2025 “Update on Asset Condition Project Process.” CANE similarly agrees with the foundational priorities delineated in NESCOE’s June 9, 2025 correspondence.

⁷ Additional possible subjects of periodic review and analysis include incorporation of Order 1920 compliance and Longer-Term Transmission Planning investments, as well as consideration of grid-enhancing and other advanced transmission technologies and rightsizing opportunities within ACP planning.

⁸ Ultimately, CANE would support potential expansion of the entity’s duties to more comprehensive transmission planning review when, or if, such expansion appears feasible.

- Independent review of proposed projects should be separate and distinct from the ISO's existing system planning responsibilities.
- Establishing an independent (i.e., distinct) entity that can provide objective information and reports will establish needed credibility with stakeholders.
- Structural independence can be achieved by implementing a reporting structure modeled after the Internal Market Monitor, while incorporating elements of the External Market Monitor structure and function.
 - i. Entity should report to the ISO-NE Board (and directly to stakeholders) on substantive matters.
 - ii. Entity may report to ISO-NE CEO and internal leadership on administrative matters.
 - iii. Entity should receive a budget for external consulting, as necessary.