

RETURN DATE: APRIL 11, 2023	:	SUPERIOR COURT
	:	
AQUARION WATER COMPANY OF CONNECTICUT,	:	
	:	
	:	
<i>Plaintiff-Appellant,</i>	:	JUDICIAL DISTRICT OF NEW BRITAIN
	:	
V.	:	
	:	
PUBLIC UTILITIES REGULATORY AUTHORITY,	:	
	:	
	:	
<i>Defendant-Appellee.</i>	:	
	:	MARCH 30, 2023

PLAINTIFF-APPELLANT’S EX PARTE REQUEST FOR STAY OF ENFORCEMENT OF AGENCY DECISION

Plaintff-appellant Aquarion Water Company of Connecticut (“Aquarion” or “the Company”) hereby moves *ex parte* for a stay of enforcement of a recent and unprecedented decision by the Public Utilities Regulatory Authority (“PURA”).

As set forth in the accompanying Memorandum in Support, Aquarion in 2022 filed its first request to amend its base rate schedule for the first time in nearly a decade. Even though Aquarion had invested over \$700 million of capital into improving and expanding its service during that period, PURA on March 15, 2023 rendered a split decision that reduced Aquarion’s base rate schedule by almost \$2 million (the “Decision”). *See* Docket Number 22-07-01, Application of Aquarion Water Company of Connecticut to Amend its Rate Schedule. That Decision was deeply flawed for numerous reasons, including a number that were itemized both by the dissenting Vice Chairman, and even acknowledged by one Commissioner who supported the Decision.

Because this unprecedented order further required Aquarion to begin operating at its reduced base rates without allowing time for an appropriate appeal, Aquarion has now filed its administrative appeal in expedited fashion, and has moved for a stay of the underlying decision

pending judicial review. For the reasons detailed in the supporting Memorandum of Law, Aquarion faces irreparable harm, and has posted a bond to ensure that no consumer or any other party will face any harm whatsoever in the event this appeal is subsequently dismissed on the merits. Thus, the applicable factors weigh heavily in favor of granting a stay to allow for appellate review of an agency decision that is plagued by severe deficiencies.

WHEREFORE, Aquarion respectfully requests that this Court stay the March 15, 2023 Final Decision by PURA in Docket Number 22-07-01, Application of Aquarion Water Company of Connecticut to Amend its Rate Schedule, back to March 15, 2023, pending the outcome of this administrative appeal.

THE PLAINTIFF-APPELLANT
AQUARION WATER COMPANY OF
CONNECTICUT

By: //s// Thomas J. Murphy (ct409132)

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– Its Attorneys –