



An Act Concerning Technical Revisions To Utility Laws.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (f) of section 16-2a of the general statutes, as
2 amended by section 4 of public act 99-286, is repealed and the
3 following is substituted in lieu thereof:

4 (f) As used in this section, "consumer" means any person, city,
5 borough or town, that receives service from any public service
6 company, electric supplier or from any certified telecommunications
7 provider in this state whether or not such person, [company, limited
8 liability company, corporation, association,] city, borough or town is
9 financially responsible for such service.

10 Sec. 2. Subsection (a) of section 16-18a of the general statutes, as
11 amended by section 7 of public act 99-286, is repealed and the
12 following is substituted in lieu thereof:

13 (a) In the performance of their duties the Department of Public
14 Utility Control and the Office of Consumer Counsel may retain
15 consultants to assist their [staff] staffs in proceedings before the
16 department by providing expertise in areas in which staff expertise
17 does not currently exist or when necessary to supplement existing staff
18 expertise. In any case where the department or Office of Consumer
19 Counsel determines that the services of a consultant are necessary or

20 desirable, the department shall (1) allow opportunity for the parties
21 and participants to the proceeding for which the services of a
22 consultant are being considered to comment regarding the necessity or
23 desirability of such services, (2) upon the request of a party or
24 participant to the proceeding for which the services of a consultant are
25 being considered, hold a hearing, and (3) limit the reasonable and
26 proper expenses for such services to not more than two hundred
27 thousand dollars for each agency per proceeding involving a public
28 service company, telecommunications company, electric supplier or
29 person seeking certification to provide telecommunications services
30 pursuant to chapter 283, with more than fifteen thousand customers,
31 and to not more than fifty thousand dollars for each agency per
32 proceeding involving such a company, electric supplier or person with
33 less than fifteen thousand customers, provided the department or the
34 Office of Consumer Counsel may exceed such limits for good cause. In
35 the case of multiple proceedings conducted to implement the
36 provisions of this section and sections 16-1, 16-19, 16-19e, 16-22,
37 16-247a to 16-247c, inclusive, 16-247e to 16-247i, inclusive, 16-247k and
38 subsection (e) of 16-331, the department or the Office of Consumer
39 Counsel may exceed such limits, but the total amount for all such
40 proceedings shall not exceed the aggregate amount which would be
41 available pursuant to this section. All reasonable and proper expenses,
42 as defined in subdivision (3) of this section, shall be borne by the
43 affected company, electric supplier or person and shall be paid by such
44 company, electric supplier or person at such times and in such manner
45 as the department or the Office of Consumer Counsel directs. All
46 reasonable and proper costs and expenses, as defined in subdivision
47 (3) of this section, shall be recognized by the department for all
48 purposes as proper business expenses of the affected company, electric
49 supplier or person. The providers of consultant services shall be
50 selected by the department or the Office of Consumer Counsel and
51 shall submit written findings and recommendations to the department
52 or the Office of Consumer Counsel, as the case may be, which shall be
53 made part of the public record.

54 Sec. 3. Subsection (b) of section 16-50c of the general statutes, as
55 amended by section 22 of public act 99-225, is repealed and the
56 following is substituted in lieu thereof:

57 (b) On or before January 1, 1998, and on or before January first of
58 each year thereafter, any private, nonprofit land-holding organization
59 may provide in writing to the Department of Public Utility Control its
60 mailing address and a list of the municipalities in this state in which
61 such organization may own land or any municipality adjacent to such
62 municipalities which address is suitable for the purpose of receiving
63 notice of the sale, lease or other disposition of water company land as
64 provided in this section. On or before February 1, 1998, and on or
65 before February first of each year thereafter, said department shall
66 publish and make available to every water company, as defined in
67 section 16-1, a list setting forth for the Nature Conservancy, the Trust
68 for Public Land, the Land Trust Service Bureau and each private,
69 nonprofit land-holding organization which has provided such
70 information, such organization's mailing address and the
71 municipalities in which such organization may own land and the
72 adjacent municipalities. Such list shall be valid until January thirty-first
73 of the following calendar year. Information contained on such list shall
74 be carried forward on each succeeding year's list unless a change in
75 such information, or the discontinuation of such information on such
76 list, is requested by the entity which submitted it and any changes in,
77 or discontinuation of, information to be incorporated in the following
78 year's list shall be submitted to the Department of Public Utility
79 Control on or before January first for inclusion on the list to be
80 published on February first. Whenever, one hundred twenty days after
81 July 1, 1998, any water company, as defined in section 16-1, owning
82 any contiguous area of real property containing three acres or more,
83 intends to sell, lease or otherwise dispose of such land, or a portion
84 thereof, such company shall, not later than ninety days prior to
85 offering such land for sale or otherwise negotiating with or notifying
86 any other potential purchaser, or any agent of a potential purchaser,
87 (1) notify in writing, by certified mail, return receipt requested, the

88 Department of Public Utility Control, the Commissioner of Public
89 Health, the Commissioner of Environmental Protection, any water
90 company, as defined in section 25-32a, with an existing or potential
91 source of supply or service area in any municipality in which such
92 land is situated, any water company, as defined in said section 25-32a,
93 with an existing or potential source of supply or service area in a
94 contiguous municipality, the chief executive officer or officers of the
95 municipality in which such land is situated, the Nature Conservancy,
96 the Trust for Public Land, the Land Trust Service Bureau and any
97 private, nonprofit land-holding organization set forth on the list
98 published annually by the Department of Public Utility Control
99 pursuant to this section which organization has indicated to the
100 department that it may own land in the municipality in which the land
101 is located or in an adjacent municipality provided such notice shall
102 inform recipients of information pertaining to the acreage and location
103 of the land to be sold, leased, or otherwise disposed of and such notice
104 shall state that additional information, including a map of the
105 property, [are] is available at the company and further provided, for
106 any application submitted to the Department of Public Utility Control
107 for disposition of such land within two years after such ninety-day
108 period, no further notice shall be required, and (2) provide further
109 public notice by causing a notice to be published in a newspaper of
110 general circulation in the municipalities where such water company
111 land is situated not more than forty-five days nor less than thirty days
112 before and not more than thirty days after filing an application for
113 approval with the department of such intention to sell, lease or
114 otherwise dispose of such land. Such public notice shall be published
115 in a display form that shall serve substantially to notify the public of
116 the availability of the property and shall be published in print no
117 smaller than ten-point type size. If a recipient of notice under this
118 subsection enters into a contract to purchase such land, the closing on
119 the sale shall take place not later than twelve months after the contract
120 is entered into unless the period for closing is extended by mutual
121 agreement of the parties to the contract. No agreement to sell, lease or
122 otherwise dispose of such land may be entered into by such water

123 company except as provided in this section. Any private, nonprofit
124 land-holding organization which is considering acquiring the interest
125 in the land which the water company intends to sell, lease or dispose
126 of, must identify itself as a potential acquirer by giving written notice
127 to the Department of Public Utility Control and to the water company
128 by certified mail, return receipt requested, not more than ninety days
129 after the water company files an application for approval. The
130 department shall approve or disapprove the disposition of such
131 property pursuant to subsection (a) of section 16-43 not more than one
132 hundred fifty days after its receipt of an application for such sale, lease
133 or other disposition pursuant to this subsection and failure to take
134 action within such period shall be deemed to constitute approval. The
135 department shall hold a hearing on all such land transactions in which
136 the acquisition cost of the parcels involved or the transfer
137 consideration is in excess of fifty thousand dollars. The hearing shall be
138 held in the municipality where such land is located. If such land is
139 located in more than one municipality the department shall determine
140 in which municipality the hearing shall be held. If the hearing is
141 scheduled for more than one day or continues for more than one day
142 the department may reconvene the hearing at the offices of the
143 department. An application shall not be filed with the department
144 until the Commissioner of Public Health issues a permit pursuant to
145 section 25-32. The municipality in which such land is situated shall be
146 a party to all proceedings before the department involving such land
147 brought pursuant to sections 16-50b to 16-50e.

148 Sec. 4. Subsection (a) of section 8 of public act 99-222 is repealed and
149 the following is substituted in lieu thereof:

150 (a) Not later than January 1, [2000] 2001, the Department of Public
151 Utility Control shall, in conjunction with the Office of Consumer
152 Counsel, implement a comprehensive public education outreach
153 program to educate customers about the implementation of
154 competition among certified telecommunications providers, as defined
155 in section 16-1, as amended, providing intrastate telecommunications
156 services. The goals of the program shall be to maximize public

157 information, minimize customer confusion and enable all customers to
158 participate in a competitive environment. The program shall include,
159 but not be limited to: (1) Dissemination of information through mass
160 media, interactive approaches and written materials with the goal of
161 reaching every telephone customer; (2) conduct of public forums in
162 different geographical areas of the state to foster public input and
163 provide opportunities for an exchange of questions and answers; (3)
164 involvement of community-based organizations in developing
165 messages and in devising and implementing education strategies; (4)
166 targeted efforts to reach rural, low income, elderly, foreign language,
167 disabled, ethnic minority and other traditionally underserved
168 populations; and (5) periodic evaluations of the effectiveness of
169 educational efforts. The department shall assign one individual within
170 the department to coordinate the outreach program and oversee the
171 education process. Reasonable costs incurred by the department to
172 develop and implement the education outreach program shall be
173 recovered from certified telecommunications providers and telephone
174 companies other than telephone companies serving fewer than
175 seventy-five thousand customers in the manner provided in section 16-
176 49.

177 Sec. 5. Subsection (a) of section 6 of public act 99-222 is repealed and
178 the following is substituted in lieu thereof:

179 (a) The Department of Public Utility Control shall, after consultation
180 with the Office of Consumer Counsel, retain a consultant for the
181 purpose of overseeing the testing of a telephone company's interface
182 into its operations support systems, as set forth in subsection (a) of
183 section 4 of [this act] public act 99-222, and attempting to resolve
184 expeditiously any disputes that arise among interested parties. The
185 costs of the consultant shall be recovered from certified
186 telecommunications providers and telephone companies using such
187 operations support systems in the manner provided in section 16-49.
188 The contract with such consultant shall include provisions for the
189 testing of operations support systems and shall require the consultant
190 to recommend adequate performance standards and appropriate

191 methodologies of operations support systems testing, that may
192 include, but are not limited to, the use of an artificial
193 telecommunications provider, and to implement whatever testing
194 methodology is selected for use. The department shall select a testing
195 methodology through a process that provides an opportunity for input
196 from any certified telecommunications provider that uses such
197 operations support systems, the applicable telephone company and the
198 Office of Consumer Counsel. Such a contract shall also provide for
199 status reports as required by the department.

200 Sec. 6. Subdivision (1) of subsection (b) of section 16-256b of the
201 general statutes, as amended by section 10 of public act 99-286, is
202 repealed and the following is substituted in lieu thereof:

203 (b) (1) Each domestic telephone company having at least one
204 hundred thousand customers shall pay into a Special
205 Telecommunications Equipment Fund twenty thousand dollars not
206 later than July 1, 1992. The fund shall be administered by the
207 Commission on the Deaf and Hearing Impaired. The Department of
208 Public Utility Control shall include all payments made by a company
209 into [such a] said fund as operating expenses of the company for
210 purposes of rate-making under section 16-19.

211 Sec. 7. Section 16-280d of the general statutes, as amended by
212 section 5 of public act 99-31, is repealed and the following is
213 substituted in lieu thereof:

214 The Department of Public Utility Control shall require of any person
215 [who] that owns any pipeline facilities or [who] that engages in the
216 transportation of gas or maintains pipeline facilities within the state to
217 maintain such records, make such reports and provide such
218 inspections as are required by the federal act or by any regulation
219 adopted by the department pursuant to subsection (b) or (c) of section
220 16-280b. The department may require the filing of such information as
221 is necessary to determine compliance with applicable standards and
222 regulations.

223 Sec. 8. Subsection (a) of section 16-280e of the general statutes, as
224 amended by section 6 of public act 99-31, is repealed and the following
225 is substituted in lieu thereof:

226 (a) Any person [who] that violates any provision of the federal act,
227 any regulation issued under the federal act, any provision of this
228 chapter or any regulation adopted by the department pursuant to
229 subsection (b) or (c) of section 16-280b, shall be subject to a civil
230 penalty not to exceed twenty-five thousand dollars for each such
231 violation for each day that such violation persists, except that the
232 maximum civil penalty under section 16-17 or 16-271 or this section
233 shall not exceed five hundred thousand dollars for any related series of
234 violations.

235 Sec. 9. Subsection (a) of section 16a-22d of the general statutes, as
236 amended by section 1 of public act 99-16, is repealed and the following
237 is substituted in lieu thereof:

238 (a) (1) Any person that is engaged in the wholesale or retail sale, or
239 both, of petroleum products in this state or [any person engaged] in
240 the wholesale sale of petroleum products for consumption in this state
241 and [who] that sells at least one million gallons of such products
242 annually or any person that is engaged in the operation of a petroleum
243 product storage terminal or petroleum product pipeline shall register
244 with the secretary not later than September thirtieth of each year or not
245 later than thirty days of commencing operations in the state by such
246 person, whichever is later.

247 (2) Any person that is engaged in the wholesale or retail sale, or
248 both, of petroleum products in this state or [any person engaged] in
249 the wholesale sale of petroleum products for consumption in this state
250 and [who] that sells at least five thousand but less than one million
251 gallons of such products annually shall register with the secretary, if so
252 requested by the secretary, not more than thirty days after such
253 request. The secretary shall not require such registration more than
254 once in any twelve-month period.

255 (3) Such registration shall be on a form prescribed or furnished by
256 the secretary and shall require the registrant, subject to the penalty for
257 false statement under section 53a-157b, to provide the following
258 information: (A) The name, mailing address and telephone number of
259 the registrant; (B) the name, mailing address and telephone number of
260 any company with which the registrant is affiliated, and whether any
261 such affiliated company is engaged in the wholesale or retail sale, or
262 both, or the delivery into or storage of petroleum products in this state
263 or another state, or both; (C) whether the registrant engages in
264 wholesale operations, retail operations, or both, or the delivery into or
265 storage of petroleum products and whether the registrant engages in
266 sales to residential customers; (D) any other names and places of
267 business used by the registrant to conduct business; and (E) any
268 further information which the secretary may request pursuant to this
269 title.

270 Sec. 10. Public Act 99-29 is repealed and the following is substituted
271 in lieu thereof:

272 Each electric company, [as defined in section 16-1,] each municipal
273 electric utility established under chapter 101 and each electric utility
274 owned, leased, maintained, operated, managed or controlled by any
275 unit of local government under any general statute or special act shall,
276 upon request, provide electricity and each electric distribution
277 company [, as defined in said section 16-1,] shall, upon request,
278 provide electric distribution services [, as defined in said section 16-1,]
279 to military veterans' posts and organizations that are exempt from
280 federal taxation under Section [501(c)(19)] 501(c) of the Internal
281 Revenue Code of 1986, or any subsequent corresponding internal
282 revenue code of the United States, as from time to time amended, at
283 the lesser of the residential or commercial rate for the service territory
284 in which the facility is located, provided such rates are not inconsistent
285 with said chapter 101 or any municipal charter or ordinance adopted
286 pursuant thereto, or with any such special act.

287 Sec. 11. (NEW) Notwithstanding any provision of a special act to the

288 contrary, regional water authorities shall have the same powers
289 granted to municipalities under the provisions of sections 16-245 to 16-
290 245y, inclusive, of the general statutes.

291 Sec. 12. Subsection (a) of section 16-1 of the general statutes is
292 amended by adding subdivision (38) as follows:

293 (NEW) (38) "Gas registrant" means a person registered to sell
294 natural gas pursuant to section 16-258a.

ET Committee Vote: Yea 16 Nay 0 JFS