



General Assembly

January Session, 2001

Raised Bill No. 6913

LCO No. 4183

Referred to Committee on Energy and Technology

Introduced by:
(ET)

AN ACT CONCERNING THE USE OF CONSULTANTS BY THE OFFICE OF CONSUMER COUNSEL.

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

1 Section 16-18a of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 (a) In the performance of their duties the Department of Public
4 Utility Control and the Office of Consumer Counsel may retain
5 consultants to assist their staffs in proceedings before the department,
6 the Federal Energy Regulatory Commission, the Securities and
7 Exchange Commission, the Federal Trade Commission, the United
8 States Department of Justice, the Federal Communications
9 Commission, state or federal courts or in proceedings appealing a
10 decision of the department, by providing expertise in areas in which
11 staff expertise does not currently exist or when necessary to
12 supplement existing staff expertise. In any case where the department
13 or Office of Consumer Counsel determines that the services of a
14 consultant are necessary or desirable, the department shall (1) allow
15 opportunity for the parties and participants to the proceeding for
16 which the services of a consultant are being considered to comment
17 regarding the necessity or desirability of such services, (2) upon the

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

52 include the status of services by a consultant that has been completed
53 and services by a consultant that has begun but is not yet completed.

54 (b) The Department of Public Utility Control may retain consultants
55 to assist in developing and implementing the public education
56 outreach program pursuant to section 16-244d, provided the
57 authorization to retain such consultants shall expire December 31,
58 2000, and provided further the reasonable and proper expenses for
59 such services shall not exceed three hundred fifty thousand dollars in
60 the aggregate. All reasonable and proper expenses accrued prior to
61 January 1, 2000, shall be borne by electric companies or electric
62 distribution companies, as the case may be. After the systems benefits
63 charge begins to be collected on January 1, 2000, pursuant to section
64 16-245l, such companies shall recover those expenses that have been
65 accrued by the companies up until said date through the systems
66 benefits charge. On and after January 1, 2000, all reasonable and
67 proper expenses shall be assessed directly through the systems benefits
68 charge.

69 (c) Notwithstanding any provision of the general statutes, the
70 department and the Office of Consumer Counsel shall not retain any
71 consultant under subsection (a) of this section in connection with any
72 proceeding involving telecommunications if such consultant, at the
73 time the consultant would be retained, is serving as a consultant to a
74 certified telecommunications provider or a telephone company that
75 would be affected by such proceeding, unless each party and
76 intervenor to such proceeding agrees in writing to waive the
77 provisions of this subsection.

Statement of Purpose:

To allow the Office of Consumer Counsel to retain consultants for certain proceedings.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]