



General Assembly

January Session, 2001

**Raised Bill No. 1232**

LCO No. 4012

Referred to Committee on Energy and Technology

Introduced by:  
(ET)

**AN ACT AUTHORIZING THE OFFICE OF POLICY AND MANAGEMENT TO WAIVE THE TWENTY-FOUR-HOUR REQUIREMENT FOR ADVANCE NOTIFICATION OF FUEL PRICE CHANGES DURING A SHORTAGE.**

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

1 Section 1. Section 16a-21 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 (a) For the purpose of this section, unit price means the price per  
4 gallon computed to the nearest tenth of a whole cent.

5 ~~[(a)]~~ (b) No person, firm or corporation shall sell at retail fuel oil or  
6 propane gas to be used for residential heating without placing the unit  
7 price, clearly indicated as such, the total number of units sold and the  
8 amount of any delivery surcharge in a conspicuous place on the  
9 delivery ticket given to the purchaser or ~~[his]~~ an agent of the purchaser  
10 at the time of delivery. No person, firm or corporation may bill or  
11 otherwise attempt to collect from any purchaser of fuel oil or propane  
12 gas an amount which exceeds the unit price multiplied by the total  
13 number of units stated on the delivery ticket, plus the amount of any  
14 delivery surcharge stated on the ticket.

15 (c) No person, firm or corporation shall sell at other than retail fuel  
16 oil or propane gas without giving written notification of the unit price  
17 to any purchaser other than the ultimate consumer twenty-four hours  
18 before delivery. Each person, firm or corporation who sells, at other  
19 than retail, fuel oil or propane, shall provide the Secretary of the Office  
20 of Policy and Management with information concerning the price of  
21 fuel oil or propane gas currently being charged its customers. Such  
22 notice shall be [mailed] provided to the secretary at the same time and  
23 in the same manner as to the purchaser. [For the purpose of this  
24 section, unit price means the price per gallon computed to the nearest  
25 tenth of a whole cent.]

26 (d) (1) A person, firm or corporation may submit a written request  
27 to the secretary for the waiver of twenty-four-hour notice requirement  
28 in subsection (c) of this section. The secretary may waive such notice  
29 requirement by issuing a written determination (A) that there is a  
30 shortage of fuel oil or propane gas supplies or the price in the retail  
31 fuel oil or propane gas markets in the state or region are rapidly  
32 escalating, and (B) that a waiver would alleviate such a situation. (2)  
33 Such waiver shall be for a period of no more than thirty days and may  
34 be renewed. (3) Such waiver shall not relieve the seller of retail fuel oil  
35 or propane gas of the obligation to notify the purchaser of the current  
36 price thereof. (4) Such waiver shall (A) be filed with the office of the  
37 Secretary of the State; (B) take effect upon its filing with the office of  
38 the Secretary of the State; (C) be published in a newspaper having a  
39 general circulation in each county and on the Internet, except that  
40 failure to publish shall not impair the validity of such waiver; and (D)  
41 contain a termination date, provided the secretary may terminate the  
42 waiver in advance of such date upon a written determination by the  
43 secretary that the situation leading to the waiver has been alleviated,  
44 which determination shall be filed and published in the same manner  
45 as a waiver pursuant to subparagraphs (A) to (C), inclusive, of this  
46 subdivision. (5) The joint standing committee of the General Assembly  
47 having cognizance of matters relating to energy may disapprove such  
48 waiver in the manner provided for action on proclamations of energy

49 emergency pursuant to subsection (b) of section 16a-11.

50 [(b)] (e) Any person, firm or corporation who violates [subsection  
51 (a)] subsection (b) or (c) of this section shall be fined not more than one  
52 hundred dollars for the first offense nor more than five hundred  
53 dollars for each subsequent offense.

***Statement of Purpose:***

To authorize the Secretary of the Office of Policy and Management to waive the twenty-four-hour advance notification requirement for fuel oil and propane price changes during a period of shortage in order to help alleviate the shortage.

*[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.]*