



General Assembly

January Session, 2001

Raised Bill No. 1244

LCO No. 4085

Referred to Committee on Energy and Technology

Introduced by:
(ET)

AN ACT CONCERNING SERVICE AREAS OF CERTAIN MUNICIPAL UTILITIES.

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

1 Section 1. Section 7-233ii of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) Notwithstanding any provision of a special act or municipal
4 charter to the contrary, any municipality that owns or operates one or
5 more plants for the manufacture or distribution of electricity pursuant
6 to section 7-213 or any special act, may provide telecommunications
7 service, as defined in section 16-247a, other than community antenna
8 television service, to inhabitants within the territorial limits of the area
9 in which the municipality is authorized to provide electric service. No
10 municipality may seek authority to provide telecommunications
11 service pursuant to this section until affirmative action for that
12 purpose has been approved by the chief executive officer and has
13 received a two-thirds vote of its legislative body or in any town in
14 which the legislative body is a town meeting, by the board of
15 selectmen.

16 (b) Any municipality seeking to exercise the authority granted by
17 this section shall be subject to all certification requirements imposed by
18 statute or order of the Department of Public Utility Control upon
19 certified telecommunications providers, as defined in section 16-1.

20 (c) Any municipality exercising the authority granted by this section
21 may finance any capital expenditures necessary to provide
22 telecommunications service other than community antenna television
23 service, including but not limited to, the costs to acquire or construct
24 necessary systems or facilities, in accordance with the provisions of
25 chapter 109.

26 (d) Nothing in this section shall be construed to prohibit any
27 municipality that owns or operates one or more plants for the
28 manufacture or distribution of electricity pursuant to section 7-213
29 from providing community antenna television service, as defined in
30 section 16-1, pursuant to sections 7-213 and 16-331.

31 Sec. 2. (NEW) (a) Any municipality that maintains an electric or gas
32 utility may establish a corporation under chapter 601 of the general
33 statutes for the purposes of engaging in the manufacture, distribution,
34 purchase or sale, or any combination thereof, of electricity, gas or
35 water for the sole purpose of providing electricity, gas or water within
36 its franchise area.

37 (b) Any such municipality may exercise the authority provided for
38 in subsection (a) of this section notwithstanding the provisions of any
39 special act, municipal charter or home rule ordinance, upon approval
40 of its chief executive officer and by adoption of an ordinance approved
41 by a two-thirds vote of its city council.

42 (c) No corporation established pursuant to subsection (a) of this
43 section shall engage in the manufacture, distribution, purchase or sale,
44 or any combination thereof, of electricity, gas or water outside the
45 service area of such municipal electric or gas utility. Nothing in this
46 section shall be construed to permit any municipal electric utility to

47 engage in the sale or aggregation of electric generation services other
48 than pursuant to section 16-245 of the general statutes.

Statement of Purpose:

To clarify the right of a municipality that owns or operates electric generating plants to provide community antenna television services and to allow a municipality with an electric or gas utility to establish a corporation to manufacture, distribute, purchase or sell electricity, gas or water.

[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.]