



General Assembly

Substitute Bill No. 486

February Session, 2002

AN ACT CONCERNING PROTECTION OF UTILITY AND EMERGENCY PLANS.

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

1 Section 1. Section 16-32e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) As used in this section, "emergency" means any (1) hurricane,
4 tornado, storm, flood, high water, wind-driven water, tidal wave,
5 tsunami, earthquake, volcanic eruption, landslide, mudslide,
6 snowstorm, drought or fire explosion, or (2) attack or series of attacks
7 by an enemy of the United States causing, or which may cause,
8 substantial damage or injury to civilian property or persons in the
9 United States in any manner by sabotage or by the use of bombs,
10 shellfire or atomic, radiological, chemical, bacteriological or biological
11 means or other weapons or processes.

12 (b) Not later than June 1, 1996, and every five years thereafter, each
13 public service company, as defined in section 16-1, as amended, each
14 certified telecommunications [company] provider, as defined in said
15 section 16-1, [that installs, maintains, operates or controls poles, wires,
16 conduits or other fixtures under or over any public highway for the
17 provision of telecommunications service authorized by section 16-
18 247c,] and each municipal utility furnishing electric, gas or water
19 service shall file with the Department of Public Utility Control, the

20 Office of Emergency Management and each municipality located
21 within the service area of the public service company, certified
22 telecommunications [company] provider or municipal utility an
23 updated plan for restoring service which is interrupted as a result of an
24 emergency. except no such plan shall be required of a public service
25 company or municipal utility that submits a water supply plan
26 pursuant to section 25-32d. Plans filed by public service companies
27 and municipal utilities furnishing water shall be prepared in
28 accordance with the memorandum of understanding entered into
29 pursuant to section 4-67e. Not later than September 15, 1996, and every
30 five years thereafter, the Department of Public Utility Control may
31 conduct public hearings on such plans and, in consultation with the
32 Office of Emergency Management, the Department of Public Health
33 and the joint standing committee of the General Assembly having
34 cognizance of matters relating to public utilities, revise such plans to
35 the extent necessary to provide properly for the public convenience,
36 necessity and welfare. If the Department of Public Utility Control
37 revises the emergency plan of a public service company, certified
38 telecommunications [company] provider or municipal utility, such
39 company or municipal utility shall file a copy of the revised plan with
40 each municipality located within the service area of the company.
41 Plans filed with a state agency or a municipality pursuant to this
42 section by a public service company, a certified telecommunication
43 provider or a municipality shall not be subject to public disclosure
44 pursuant to section 1-210, as amended by this act, as determined by the
45 Department of Public Utility Control.

46 Sec. 2. Subsection (b) of section 1-210 of the general statutes is
47 amended by adding subdivision (21) as follows (*Effective from passage*):

48 (NEW) (21) Records, the disclosure of which the chairperson of the
49 Public Utilities Control Authority has reasonable grounds to believe
50 may result in a safety risk to the public or to the employees of a public
51 service company, as defined in section 16-1, as amended, a certified
52 telecommunications provider, as defined in said section 16-1, or a
53 municipal utility, furnishing electric, gas or water service, including

54 the risk of harm to any person, any plant or any fixture or
55 appurtenance and equipment attached to, or contained in, such plant.
56 Such records shall include, but not be limited to: (A) Emergency plans
57 filed pursuant to section 16-32e; (B) engineering and architectural
58 drawings of utility plants; (C) operational specifications of and security
59 systems utilized at any plant, except that a general description of any
60 such security system and the cost of such system may be disclosed; (D)
61 manuals prepared by such companies for emergency situations that
62 describe, in any manner, security procedures, emergency plans or
63 security equipment; (E) records of hearings of the Department of
64 Public Utility Control or portions of such records that contain or reveal
65 information relating to emergency plans, security or other records
66 otherwise exempt from disclosure under this subdivision; and (F)
67 records of standards, procedures, processes, software and codes not
68 otherwise available to the public, the disclosure of which would
69 compromise the security or integrity of an information system.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

ET

Joint Favorable Subst. C/R

GAE