



General Assembly

Substitute Bill No. 6399

January Session, 2003

**AN ACT CONCERNING THE FILING OF INFORMATION REGARDING
AMORTIZATION AGREEMENTS.**

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

1 Section 1. Subdivisions (4) and (5) of subsection (b) of section 16-
2 262c of the general statutes are repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2003*):

4 (4) In order for a residential customer of a gas or electric distribution
5 company using gas or electricity for heat to be eligible to have any
6 moneys due and owing deducted from the customer's delinquent
7 account pursuant to this subdivision, the company furnishing gas or
8 electricity shall require that the customer (A) apply and be eligible for
9 benefits available under the Connecticut energy assistance program or
10 state appropriated fuel assistance program; (B) authorize the company
11 to send a copy of the customer's monthly bill directly to any energy
12 assistance agency for payment; (C) enter into and comply with an
13 amortization agreement, which agreement is consistent with decisions
14 and policies of the Department of Public Utility Control. Such an
15 amortization agreement shall reduce a customer's payment by the
16 amount of the benefits reasonably anticipated from the Connecticut
17 energy assistance program, state appropriated fuel assistance program
18 or other energy assistance sources. Unless the customer requests
19 otherwise, the company shall budget a customer's payments over a
20 twelve-month period with an affordable increment to be applied to

21 any arrearage, provided such payment plan will not result in loss of
22 any energy assistance benefits to the customer. If a customer
23 authorizes the company to send a copy of his monthly bill directly to
24 any energy assistance agency for payment, the energy assistance
25 agency shall make payments directly to the company. If, on April
26 thirtieth, a customer has been in compliance with the requirements of
27 subparagraphs (A) to (C), inclusive, of this subdivision, during the
28 period starting on the preceding November first, or from such time as
29 the customer's account becomes delinquent, the company shall deduct
30 from such customer's delinquent account an additional amount equal
31 to the amount of money paid by the customer between the preceding
32 November first and April thirtieth and paid on behalf of the customer
33 through the Connecticut energy assistance program and state
34 appropriated fuel assistance program. Any customer in compliance
35 with the requirements of subparagraphs (A) to (C), inclusive, of this
36 subdivision, on April thirtieth who continues to comply with an
37 amortization agreement through the succeeding October thirty-first,
38 shall also have an amount equal to the amount paid pursuant to such
39 agreement and any amount paid on behalf of such customer between
40 May first and the succeeding October thirty-first deducted from the
41 customer's delinquent account. In no event shall the deduction of any
42 amounts pursuant to this subdivision result in a credit balance to the
43 customer's account. No customer shall be denied the benefits of this
44 subdivision due to an error by the [gas] company. The Department of
45 Public Utility Control shall allow the amounts deducted from the
46 customer's account pursuant to the implementation plan, described in
47 subdivision (5) of this subsection, to be recovered by the company in
48 its rates as an operating expense, pursuant to said implementation
49 plan. If the customer fails to comply with the terms of the amortization
50 agreement or any decision of the department rendered in lieu of such
51 agreement and the requirements of subparagraphs (A) to (C),
52 inclusive, of this subdivision, the company may terminate service to
53 the customer, pursuant to all applicable regulations, provided such
54 termination shall not occur between November first and April
55 fifteenth.

56 (5) Each gas and electric distribution company shall submit to the
57 Department of Public Utility Control annually, on or before July first,
58 an implementation plan which shall include information concerning
59 amortization agreements, counseling, reinstatement of eligibility, rate
60 impacts and any other information deemed relevant by the
61 department. The Department of Public Utility Control may, in
62 consultation with the Office of Policy and Management, approve or
63 modify such plan within ninety days of receipt of the plan. If the
64 department does not take any action on such plan within ninety days
65 of its receipt, the plan shall automatically take effect at the end of the
66 ninety-day period, provided the department may extend such period
67 for an additional thirty days by notifying the [gas] company before the
68 end of the ninety-day period. Any amount recovered by a company in
69 its rates pursuant to this subsection shall not include any amount
70 approved by the Department of Public Utility Control as an
71 uncollectible expense. The department may deny all or part of the
72 recovery required by this subsection if it determines that the company
73 seeking recovery has been imprudent, inefficient or acting in violation
74 of statutes or regulations regarding amortization agreements.

This act shall take effect as follows:	
Section 1	October 1, 2003

Statement of Legislative Commissioners:

A reference to "gas" was deleted for purposes of consistency.

ET *Joint Favorable Subst.-LCO*