



Senate

General Assembly

File No. 116

February Session, 2004

Substitute Senate Bill No. 374

Senate, March 17, 2004

The Committee on Energy and Technology reported through SEN. PETERS of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE TRANSFER OF TITLE IN THE ACQUISITION OF A WATER COMPANY.

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

1 Section 1. Section 16-262o of the general statutes is amended by
2 adding subsection (d) as follows (*Effective from passage*):

3 (NEW) (d) Not later than sixty days after the issuance of an order
4 for an acquisition pursuant to this section, the acquired water
5 company shall properly execute and record all documents necessary to
6 complete the transfer of title to all real and personal property that is
7 the subject of the acquisition order, including, but not limited to, land,
8 structures, easements, and every estate, right or interest therein, to the
9 entity ordered to acquire such water company. If the acquired
10 company fails to transfer title in accordance with this subsection, the
11 acquiring company shall notify the Department of Public Utility
12 Control of such failure to act. Upon receipt of such notice, the
13 department shall petition the Superior Court to enforce the provisions

14 of its acquisition order. Nothing in this subsection shall deprive any
15 entity of the compensation rights set forth in section 16-262q.

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

ET *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Public Utility Control, Dept.	CC&PUCF - None	None	None

Note: CC&PUCF=Consumer Counsel and Public Utility Control Fund

Municipal Impact: None

Explanation

The bill requires an acquired water company to expeditiously transfer the title to the acquiring company. The bill impacts the process in which a title is transferred and therefore, has no fiscal impact on the Department of Public Utility Control.

OLR Bill Analysis

sSB 374

AN ACT CONCERNING THE TRANSFER OF TITLE IN THE ACQUISITION OF A WATER COMPANY**SUMMARY:**

By law, the Department of Public Utility Control (DPUC) can order a water company to acquire another water company that is failing or that has failed to comply with DPUC or Department of Public Health orders. This bill requires the acquired water company to properly execute and record all documents needed to complete the transfer of title to the acquiring entity within 60 days after the DPUC order. The requirement applies to all of the real and personal property that is subject to the acquisition order, including land, structures, and easements and rights to them. If the acquired company fails to do so, the acquiring company must notify DPUC. Upon receiving the notice, DPUC must petition the Superior Court to enforce its order. These provisions do not affect any entity's rights to compensation.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 17 Nay 0