



General Assembly

January Session, 2005

Raised Bill No. 6729

LCO No. 3665

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Referred to Committee on Energy and Technology

Introduced by:
(ET)

***AN ACT CONCERNING OUTSIDE LEGAL COUNSEL TO REPRESENT
THE OFFICE OF CONSUMER COUNSEL.***

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

1 Section 1. Section 16-6a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) The Department of Public Utility Control [is] and the Office of
4 Consumer Counsel are authorized to participate in proceedings before
5 agencies of the federal government and the federal courts on matters
6 affecting utility services rendered or to be rendered in this state.

7 (b) For any proceeding before the Federal Energy Regulatory
8 Commission, the United States Department of Energy or the United
9 States Nuclear Regulatory Commission, the Securities and Exchange
10 Commission, the Federal Trade Commission, the United States
11 Department of Justice, the Federal Communications Commission or
12 appeal thereof, the Attorney General, upon request of the department
13 or the Office of Consumer Counsel, may retain outside legal counsel in
14 accordance with section 3-125 to participate in such proceedings on
15 behalf of the department or office. All reasonable and proper expenses

16 of such outside legal counsel shall be borne by the public service
17 companies, certified telecommunications providers, electric suppliers
18 or gas registrants that are affected by the decisions of such proceedings
19 and shall be paid at such times and in such manner as the department
20 or office directs, provided such expenses shall be apportioned in
21 proportion to the revenues of each affected entity as reported to the
22 department for purposes of section 16-49 for the most recent period,
23 and provided further such expenses shall not exceed two hundred fifty
24 thousand dollars per proceeding, including any appeals thereof, in any
25 calendar year unless the department or office finds good cause for
26 exceeding the limit and the affected entities have an opportunity, after
27 reasonable notice, to comment on the proposed overage. [All such
28 legal expenses shall be recognized by the] The department or office
29 shall recognize all such legal expenses as proper business expenses of
30 the affected entities for rate-making purposes, as provided in section
31 16-19e, if applicable.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	16-6a

Statement of Purpose:

To permit the Office of Consumer Counsel to engage outside legal counsel to represent the office before various federal entities and to expand the list of federal agencies before which legal counsel for both the office and the Department of Public Utility Control may appear.

[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.]