



General Assembly

Substitute Bill No. 6729

January Session, 2005

* HB06729JUD 051705 *

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 Section 16-6a of the general statutes is repealed and the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, or appeal thereof, the
10 Attorney General, upon request of the department, may retain outside
11 legal counsel in accordance with section 3-125 to participate in such
12 proceedings on behalf of the department. All reasonable and proper
13 expenses of such outside legal counsel shall be borne by the public
14 service companies, certified telecommunications providers, electric
15 suppliers or gas registrants that are affected by the decisions of such
16 proceedings and shall be paid at such times and in such manner as the
17 department directs, provided such expenses shall be apportioned in
18 proportion to the revenues of each affected entity as reported to the
19 department for purposes of section 16-49 for the most recent period,

20 and provided further such expenses shall not exceed two hundred fifty
21 thousand dollars per proceeding, including any appeals thereof, in any
22 calendar year unless the department finds good cause for exceeding
23 the limit and the affected entities have an opportunity, after reasonable
24 notice, to comment on the proposed overage. All such legal expenses
25 shall be recognized by the department as proper business expenses of
26 the affected entities for rate-making purposes, as provided in section
27 16-19e, if applicable.

28 (c) For any proceeding before the Federal Energy Regulatory
29 Commission, the United States Department of Energy, the United
30 States Nuclear Regulatory Commission, the Securities and Exchange
31 Commission, the Federal Trade Commission, the United States
32 Department of Justice or the Federal Communications Commission, or
33 appeal thereof, the Attorney General, upon request of the Office of
34 Consumer Counsel, may retain outside legal counsel in accordance
35 with section 3-125 to participate in such proceedings on behalf of the
36 office, provided the work performed on behalf of the office shall not
37 include lobbying activities, as defined in 2 USC 1602. All reasonable
38 and proper expenses of such outside legal counsel shall be borne by
39 the public service companies, certified telecommunications providers,
40 electric suppliers or gas registrants that are affected by the decisions of
41 such proceedings and shall be paid at such times and in such manner
42 as the office directs, provided such expenses shall be apportioned in
43 proportion to the revenues of each affected entity as reported to the
44 department for purposes of section 16-49 for the most recent period,
45 and provided further such expenses shall not exceed two hundred fifty
46 thousand dollars, including any appeals thereof, in any calendar year.
47 The Department of Public Utility Control shall recognize all such legal
48 expenses as proper business expenses of the affected entities for rate-
49 making purposes, as provided in section 16-19e, if applicable.

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

JUD *Joint Favorable Subst.*