



General Assembly

**Amendment**

January Session, 2005

LCO No. 7170

**\*HB0672007170HDO\***

Offered by:

REP. GUERRERA, 29<sup>th</sup> Dist.  
SEN. CIOTTO, 9<sup>th</sup> Dist.  
REP. SCRIBNER, 107<sup>th</sup> Dist.  
SEN. MCKINNEY, 28<sup>th</sup> Dist.

SEN. FONFARA, 1<sup>st</sup> Dist.  
REP. DELGOBBO, 70<sup>th</sup> Dist.  
REP. FONTANA, 87<sup>th</sup> Dist.  
SEN. CAPPIELLO, 24<sup>th</sup> Dist.

To: Subst. House Bill No. 6720

File No. 280

Cal. No. 253

**"AN ACT CONCERNING THE DEPARTMENT OF  
TRANSPORTATION."**

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- 1 In line 9, before "Highway" insert "Memorial"
  - 2 In line 12, before "Bridge" insert "Memorial"
  - 3 Strike sections 28 to 31, inclusive, 39 and 42 in their entirety and
  - 4 renumber remaining sections and internal references accordingly
  - 5 Strike lines 349 to 361, inclusive, and substitute the following in lieu
  - 6 thereof:
  - 7 "state, except that the state shall not bear any share of the cost of a
  - 8 project to readjust, relocate or remove any facility, as defined in
  - 9 subsection (a) of section 16-50i used for transmitting electricity or as an
  - 10 electric trunkline. The Department of Transportation shall evaluate the
  - 11 total costs of such a project, including department costs for

12 construction or reconstruction and electric distribution company costs  
13 for readjusting, relocating or removing such facility, so as to minimize  
14 the overall costs incurred by the state and the electric distribution  
15 company. The electric distribution company may provide the  
16 department with proposed alternatives to the relocation, readjustment  
17 or removal proposed by the department and shall be responsible for  
18 any changes to project costs attributable to adoption of the company's  
19 proposed alternative designs for such project, including changes to the  
20 area of the relocation, readjustment or removal and any incremental  
21 costs incurred by the department to evaluate such alternatives. If such  
22 electric distribution company and the department cannot agree on a  
23 plan for such project, the Commissioner of Transportation and the  
24 chairperson of the Department of Public Utility Control shall, on  
25 request of the company, jointly determine the alternative for the  
26 project. Such"

27 In line 461, bracket "make any changes to" and insert after the  
28 closing bracket "change"

29 Strike lines 467 to 480, inclusive, and substitute the following in lieu  
30 thereof:

31 "(d) The Department of Public Utility Control shall adjust the retail  
32 rate charged by each electric distribution company for electric  
33 transmission services periodically to recover all transmission costs  
34 prudently incurred by each electric distribution company. The  
35 Department of Public Utility Control, after notice and hearing, shall  
36 design the retail transmission rate to provide for recovery of all Federal  
37 Energy Regulatory Commission approved transmission costs, rates,  
38 tariffs and charges and of other transmission costs prudently incurred  
39 by an electric distribution company in accordance with section 16-19e.  
40 Notwithstanding the provisions of section 16-19, the department shall  
41 adjust the retail transmission rate in accordance with the provisions of  
42 subsections (e) and (h) of this section. A transmission rate adjustment  
43 clause approved pursuant to this section shall apply to all electric  
44 distribution companies similarly affected by transmission costs. The

45 department's authority to review the prudence of costs shall not apply  
46 to any matter over which any agency, department or instrumentality of  
47 the federal government has exclusive jurisdiction, or has jurisdiction  
48 concurrent with that of the state and has exercised such jurisdiction to  
49 the exclusion of regulation of such matter by the state."

50 Strike lines 522 to 538, inclusive, and substitute the following in lieu  
51 thereof:

52 "[~~(g)~~] (h) The Department of Public Utility Control shall continually  
53 monitor and oversee the application of the purchased gas adjustment  
54 clause, ~~[and]~~ the energy adjustment clause, and the transmission rate  
55 adjustment clause. The department shall hold a public hearing thereon  
56 whenever the department deems it necessary, but no less frequently  
57 than once every six months, and undertake such other proceeding  
58 thereon to determine whether charges or credits made under such  
59 clauses reflect the actual prices paid for purchased gas or energy ~~[ ]~~  
60 and the actual transmission costs and are computed in accordance with  
61 the applicable clause. If the department finds that such charges or  
62 credits do not reflect the actual prices paid for purchased gas or  
63 energy, and the actual transmission costs or are not computed in  
64 accordance with the applicable clause, it shall recompute such charges  
65 or credits and shall direct the company to take such action as may be  
66 required to insure that such charges or credits properly reflect the  
67 actual prices paid for purchased gas or energy and the actual  
68 transmission costs and are computed in accordance with the applicable  
69 clause for the applicable period."

70 In line 789, before "Any" insert "Prior to imposing a penalty under  
71 this section, the commissioner shall send such person a written notice  
72 of the violation by certified mail, return receipt requested. If such  
73 person terminates or corrects the violation by the fifteenth day  
74 following such person's receipt of such notice, the commissioner shall  
75 not impose such penalty on such person for such violation."

76 In line 799, before "Any" insert "Prior to imposing a penalty under

77 this section, the commissioner shall send such person a written notice  
78 of the violation by certified mail, return receipt requested. If such  
79 person terminates or corrects the violation by the fifteenth day  
80 following such person's receipt of such notice, the commissioner shall  
81 not impose such penalty on such person for such violation."

82 After the last section, add the following and renumber sections and  
83 internal references accordingly:

84 "Sec. 501. (*Effective from passage*) State road 529, New Britain Avenue  
85 in the town of West Hartford, running in an easterly direction from  
86 Route 173 easterly to the West Hartford/Hartford town line, shall be  
87 designated the "West Hartford Memorial Highway".

88 Sec. 502. (*Effective from passage*) Bridge number 01459, located on  
89 Interstate Route 91 in the Town of Wethersfield, over passing Great  
90 Meadow Road, shall be designated the "Frank Maratta Sr. Memorial  
91 Bridge".

92 Sec. 503. (*Effective from passage*) Bridge number 0916, located on  
93 United States Route 202 in the Town of Canton, over passing the  
94 Farmington River, shall be designated the "Lieutenant David M.  
95 Whirty Memorial Bridge".

96 Sec. 504. (*Effective from passage*) Bridge number 03582, located on  
97 Route 83 in the Town of Manchester, over passing Interstate Route 384,  
98 shall be designated the "William R. Johnson Memorial Bridge".

99 Sec. 505. (*Effective from passage*) Route 34 in the Town of Orange,  
100 running in an easterly direction from the junction of Route 152 easterly  
101 to the Orange/New Haven town line, shall be designated the "Staff  
102 Sergeant Thomas E. Vitagliano Memorial Highway".

103 Sec. 506. (*Effective from passage*) The Department of Transportation  
104 shall install directional signs on Route 2 in the Town of Colchester  
105 indicating the presence of wineries as part of the Connecticut Wine  
106 Trail.

107 Sec. 507. (*Effective from passage*) The Department of Transportation  
108 shall install signage on Interstate Route 84 in the Town of Danbury for  
109 the Danbury Railway Museum.

110 Sec. 508. (*Effective from passage*) The Department of Transportation  
111 shall install signage on Interstate Route 84 in the City of Waterbury  
112 and on Route 8 in the Town of Thomaston for the Railroad Museum of  
113 New England.

114 Sec. 509. (*Effective from passage*) The bridge located on Route 133 in  
115 the Town of Brookfield, over passing Route 7, shall be designated the  
116 "Lance Corporal John T. Schmidt Memorial Bridge".

117 Sec. 510. (*Effective from passage*) Route 53 in the Town of Bethel shall  
118 be designated the "John L. Tiele Memorial Highway".

119 Sec. 511. Section 16-343 of the general statutes is repealed and the  
120 following is substituted in lieu thereof (*Effective upon the effective date of*  
121 *legislation enacted by the state of New York having the like effect as this*  
122 *section*):

123 The state of Connecticut hereby agrees with the state of New York,  
124 upon enactment by New York of legislation having the same effect as  
125 this section, to this compact for the purpose of providing for the  
126 continuation and improvement of essential interstate railroad  
127 passenger service:

#### 128 ARTICLE I

129 For the purpose of continuing and improving the railroad passenger  
130 service of the New York, New Haven and Hartford Railroad (and its  
131 successors) between the city of New Haven in the state of Connecticut  
132 and the city of New York in the state of New York, including branch  
133 lines which are tributary to the main line of that railroad; [between the  
134 said cities] Metropolitan Transportation Authority, a governmental  
135 corporation of the state of New York, and Connecticut [Public]  
136 Department of Transportation, [Authority (and its successors),] an  
137 agency of the state of Connecticut, acting individually, but in

138 cooperation with each other, or as coventurers where they deem it  
139 advisable and practical, are hereby authorized to do the following  
140 where permissible under the enabling laws of their respective states:

141 (a) To acquire through eminent domain proceedings, or by gift,  
142 purchase, lease or otherwise, the ownership interest in or the right to  
143 the use of all those assets of the said railroad (or of any successor in  
144 interest to such assets), be they real property, personal property or a  
145 combination of the two (including rights arising out of contract,  
146 franchise or otherwise), which are or may reasonably be expected to  
147 become necessary, convenient or desirable for the continuation or  
148 improvement of such service;

149 (b) To repair and rehabilitate such assets, or to acquire by gift,  
150 purchase, lease or otherwise, such new or additional assets and rights  
151 as they deem necessary, convenient or desirable for such continuation  
152 or improvement;

153 (c) To dispose of any such assets, new and additional assets and  
154 rights, or of the right to the use of the same, by conveyance, lease or  
155 otherwise (including, without limitation, the grant of trackage rights)  
156 when and to the extent that they are not needed for such service by the  
157 said agencies; and to abandon or discontinue portions of such service  
158 when advisable; and/or

159 (d) To operate such service, or to contract for the operation of the  
160 whole or any part of such service by others.

161 To accomplish the foregoing objectives, the said agencies are  
162 authorized, individually and jointly, to apply for aid, federal, state or  
163 local, to supplement those funds appropriated or otherwise made  
164 available to them under the laws of the party states.

165 ARTICLE II

166 The provisions of this compact shall be construed liberally to  
167 effectuate the purposes thereof. Amendments and supplements to this  
168 compact to implement the purposes thereof may be adopted by

169 concurrent legislation of the party states.

170 ARTICLE III

171 This compact shall be of no force and effect unless and until the  
172 Congress of the United States of America, on or before December  
173 thirty-first, nineteen hundred sixty-nine, has consented thereto."