



**Substitute House Bill No. 7308**

**Public Act No. 07-228**

**AN ACT CONCERNING RESOURCE RECOVERY OUTPUT PURCHASE REQUIREMENTS AND INDIRECT COSTS AND REMEDIES FOR PUBLIC SERVICE COMPANIES.**

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

Section 1. Section 16-243e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) [Any] Except as provided in subsection (b) of this section, any electric company, as defined in section 16-1, [purchasing] that, prior to the effective date of this section, purchased electricity generated by a resources recovery facility, as defined in section 22a-260, owned by, or operated by or for the benefit of, a municipality or municipalities, [shall enter into] pursuant to a contract with the owner of such facility requiring the electric company to purchase all of the electricity generated at such facility from waste [which] that originated in the franchise area of the electric company, for a period beginning on the date that the facility [begins] began generating electricity and having a duration of not less than twenty years, at the same rate that the electric company charges the municipality or municipalities for electricity, shall pay the rate set forth in the contract or, for contracts entered into and approved during calendar year 1999, the rate established by the department, for the remaining period of the contract. No electric

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company or electric distribution company shall be required to enter into such a contract on or after the effective date of this section.

(b) [Not later than April 1, 2000, the department shall determine the rate paid for electricity generated at the facility, from waste that originated within the electric company's franchise area and that was purchased under each contract entered into pursuant to subsection (a) of this section, during calendar year 1999.] Not later than October 1, 2000, and annually thereafter, the department shall calculate the difference between the amount paid by the successor electric distribution company pursuant to each such contract in effect during the preceding fiscal year for electricity generated at the facility from waste that originated within such franchise area and the amount that would have been paid had the company been obligated to pay the rate in effect during calendar year 1999, as determined by the department. The difference, if positive, shall be recovered through the systems benefits charge established under section 16-245l and remitted to the regional resource recovery authority acting on behalf of member municipalities.

Sec. 2. Subdivision (3) of subsection (a) of section 16-262f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(3) The receiver appointed by the court shall collect all rents or payments for use and occupancy or common expenses forthcoming from or paid on behalf of the occupants or residents of the building or facility in question in place of the owner, agent, lessor, [or] manager or administrator.

Approved July 6, 2007