



General Assembly

February Session, 2008

**Amendment**

LCO No. 6563

**\*HB0559706563HDO\***

Offered by:  
REP. FONTANA, 87<sup>th</sup> Dist.

To: House Bill No. 5597

File No. 233

Cal. No. 137

**"AN ACT CONCERNING BIOMASS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 3 of number 7 of the special acts of 1961, as  
4 amended by special act 97-1 and substitute senate bill 368 of the  
5 current session, is amended to read as follows (*Effective from passage*):

6 (a) Said corporation is authorized and empowered, either directly or  
7 through the agency of its parent, a subsidiary or an affiliate: To  
8 furnish, from plants located in the city of Hartford, heat or air  
9 conditioning, or both, by means of steam, heated or chilled water or  
10 other medium; to lay and maintain mains, pipes or other conduits, and  
11 to erect such other fixtures as are or may be necessary or convenient in  
12 and on the streets, highways and public grounds of said city, for the  
13 purpose of carrying steam, heated or chilled water or other medium  
14 from such plants to the location to be served and returning the same;  
15 and to lease to one or more corporations formed under the general law

16 or specially chartered for the purpose of furnishing heat or air  
17 conditioning, or both, one or more of such plants or distribution  
18 systems, or both, owned by it and constructed or adapted for either or  
19 both of such purposes.

20 (b) [On and before May 7, 2008, (1) under] (1) Under no  
21 circumstances shall said corporation, parent, subsidiary or affiliate  
22 terminate or interrupt service to one or more customers or structures if  
23 such termination or interruption of service is likely in any manner to  
24 result in the endangerment of the public health, safety or welfare of the  
25 occupants of any building being supplied steam, heated or chilled  
26 water or other medium or if such termination or interruption is likely  
27 to result in any potential disruption or interruption of the provision of  
28 any governmental or nongovernmental services, provided the  
29 customer recipient of the service was receiving such service as of  
30 January 1, 2008, and has not previously been terminated, after being  
31 provided an opportunity to cure, for failure to pay any reasonable  
32 rates under any existing contract or as approved by the Department of  
33 Public Utility Control, and (2) in no event shall the corporation, parent,  
34 subsidiary or affiliate be entitled to terminate any customer who, while  
35 in good faith contesting any charges imposed under any existing  
36 contract, remits payment of those amounts not in dispute.

37 Sec. 2. Section 502 of substitute senate bill 368 of the current session  
38 is amended to read as follows (*Effective from passage*):

39 (a) [On and before May 7, 2008, and subject] Subject to the  
40 provisions of subsection (b) of this section, the Department of Public  
41 Utility Control shall regulate any thermal energy transportation  
42 company, as defined in section 16-1 of the 2008 supplement to the  
43 general statutes, as amended by [this act] section 1 of substitute senate  
44 bill 368 of the current session, in the same manner as provided for  
45 public service companies under title 16 of the general statutes with  
46 regard to the setting of rates, charges and revenues; the obligation to  
47 provide service, maintenance of facilities and equipment; reliability of  
48 service; ownership of the company and any transfer of such

49 ownership; and any provisions for the enforcement of such regulation  
50 as provided under title 16 of the general statutes.

51 (b) The Department of Public Utility Control shall not take any  
52 regulatory action under subsection (a) of this section without the  
53 approval of the joint standing committee of the General Assembly  
54 having cognizance of matters relating to energy. The department shall  
55 submit a notice summarizing any such proposed regulatory action  
56 with the Senate clerk. The Senate clerk shall stamp the date and time of  
57 receipt on such notice and immediately submit the notice to said  
58 committee. Not later than forty-eight hours after the date and time  
59 stamped on the notice, said committee shall notify, in writing, the  
60 chairperson of the Public Utilities Control Authority of the committee's  
61 approval or disapproval of the proposed regulatory action, provided if  
62 the committee does not act on the proposed regulatory action within  
63 such forty-eight hour period, the proposed regulatory action shall be  
64 deemed approved."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	Number 7 of the special acts of 1961, Sec. 3
Sec. 2	<i>from passage</i>	SB 368 (current session), Sec. 502