



General Assembly

Substitute Bill No. 1075

January Session, 2009

* SB01075ET 031909 *

AN ACT CONCERNING COMPETITIVE ELECTRIC SUPPLIERS.

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

1 Section 1. Section 16-245s of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) No electric distribution company shall submit or execute a
4 change in a customer's selection of an electric supplier unless the
5 change has been confirmed by one of the following: (1) [An
6 independent third-party] A recorded telephone verification that is
7 subject to an audit; (2) receipt of a written confirmation received in the
8 mail from the customer after the customer has received an information
9 package confirming any telephone agreement; (3) the customer signs a
10 document fully explaining the nature and effect of the change in
11 service; or (4) the customer's consent is obtained through electronic
12 means, including, but not limited to, a computer transaction.

13 (b) [Third-party telephone] Telephone verification shall [be in
14 accordance with the following procedures: (1) The electric supplier
15 seeking to verify the change shall do so by connecting the customer by
16 telephone to the third-party verification company or by arranging for
17 the third-party verification company to call the resident to confirm the
18 sale; and (2) the third-party verification] include, but not be limited to,
19 the company [shall obtain] obtaining the customer's oral confirmation
20 regarding the change [,] and [shall record] recording that confirmation

21 by obtaining appropriate verification data. The record shall be
22 available to the customer upon request. Information obtained from the
23 customer through confirmation shall not be used for marketing
24 purposes. The verification procedure in this subsection shall not apply
25 when a residential customer directly calls an electric distribution
26 company to make changes in electric supplier service, provided an
27 electric supplier shall not avoid the verification procedure by asking a
28 residential customer to contact an electric distribution company
29 directly to make changes in electric supplier service. [For purposes of
30 this section, "third-party verification company" means a company that:
31 (A) Is independent from the electric supplier that seeks to provide the
32 new service; (B) is not directly or indirectly managed, controlled or
33 directed or owned wholly or in part by (i) an electric supplier that
34 seeks to provide the new service, or (ii) any corporation, firm or person
35 who directly or indirectly manages, controls or directs or owns more
36 than five per cent of such supplier; (C) operates from facilities
37 physically separate from those of the electric supplier that seeks to
38 provide the new service; and (D) does not derive commissions or
39 compensation based upon the number of sales confirmed.]

40 (c) Any violation of this section shall be deemed an unfair or
41 deceptive trade practice under subsection (a) of section 42-110b.

42 (d) The Department of Public Utility Control shall adopt
43 regulations, in accordance with the provisions of chapter 54, to address
44 abusive switching practices by suppliers.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2009	16-245s

ET *Joint Favorable Subst.*