



General Assembly

Bill No. 493

February Session, 2010

LCO No. 4880

*04880 _____ *

Referred to Committee on No Committee

Introduced by:

SEN. WILLIAMS, 29th Dist.

REP. DONOVAN, 84th Dist.

AN ACT REDUCING ELECTRICITY COSTS AND PROMOTING RENEWABLE ENERGY.

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

1 Section 1. Section 16-1b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 The Connecticut Energy and Technology Authority authorized
4 under section 16-2 of the general statutes, as amended by this act, shall
5 be organized into two divisions as follows:

6 (1) There shall be a [Department] Division of Public Utility Control.
7 The [department] division head shall be the [chairperson of the Public
8 Utilities Control Authority] executive director of the division who shall
9 report to the Connecticut Energy and Technology Authority; and

10 (2) There shall be a Division of Research, Energy and Technology.
11 The division shall have three bureaus.

12 Sec. 2. Section 16-2 of the general statutes is repealed and the

13 following is substituted in lieu thereof (*Effective July 1, 2011*):

14 (a) There shall [continue to] be a [Public Utilities Control]
15 Connecticut Energy and Technology Authority, which shall constitute
16 a successor authority to the Public Utilities Control Authority and shall
17 consist of five electors of this state, appointed by the Governor with the
18 advice and consent of both houses of the General Assembly. Not more
19 than three members of said authority in office at any one time shall be
20 members of any one political party. On or before July 1, 1983, and
21 quadrennially thereafter, the Governor shall appoint three members to
22 the authority and on or before July 1, 1985, and quadrennially
23 thereafter, the Governor shall appoint two members. All such
24 members shall serve for a term of four years. The procedure prescribed
25 by section 4-7 shall apply to such appointments, except that the
26 Governor shall submit each nomination on or before May first, and
27 both houses shall confirm or reject it before adjournment sine die. The
28 commissioners shall be sworn to the faithful performance of their
29 duties.

30 (b) The authority shall elect a chairperson and vice-chairperson each
31 June for one-year terms starting on July first of the same year. The vice-
32 chairperson shall perform the duties of the chairperson in his absence.

33 (c) Any matter coming before the authority may be assigned by the
34 chairperson to a panel of three commissioners, not more than two of
35 whom shall be members of the same political party. Except as
36 otherwise provided by statute or regulation, the panel shall determine
37 whether a public hearing shall be held on the matter, and may
38 designate one or two of its members to conduct such hearing or
39 appoint an examiner to ascertain the facts and report thereon to the
40 panel. The decision of the panel, if unanimous, shall be the decision of
41 the authority. If the decision of the panel is not unanimous, the matter
42 shall be referred to the entire authority for decision.

43 (d) The commissioners of the authority shall serve full time and

44 shall make full public disclosure of their assets, liabilities and income
45 at the time of their appointment, and thereafter each member of the
46 authority shall make such disclosure on or before July thirtieth of each
47 year of such member's term, and shall file such disclosure with the
48 office of the Secretary of the State. Each commissioner shall receive
49 annually a salary equal to that established for management pay plan
50 salary group seventy-five by the Commissioner of Administrative
51 Services, except that the chairperson shall receive annually a salary
52 equal to that established for management pay plan salary group
53 seventy-seven.

54 (e) To insure the highest standard of public utility regulation, on
55 and after October 1, 2007, any newly appointed commissioner of the
56 authority shall have education or training and three or more years of
57 experience in one or more of the following fields: Economics,
58 engineering, law, accounting, finance, utility regulation, public or
59 government administration, consumer advocacy, business
60 management, and environmental management. On and after July 1,
61 1997, at least three of these fields shall be represented on the authority
62 by individual commissioners at all times. Any time a commissioner is
63 newly appointed, the chairperson shall identify at least one of the
64 commissioners [shall have] as having experience in utility customer
65 advocacy.

66 (f) The chairperson of the authority, with the consent of two or more
67 other members of the authority, shall appoint an executive director,
68 who shall be the chief administrative officer of the [Department]
69 Division of Public Utility Control. The executive director shall be
70 supervised by the chairperson of the authority, serve for a term of four
71 years and annually receive a salary equal to that established for
72 management pay plan salary group seventy-two by the Commissioner
73 of Administrative Services. The executive director (1) shall conduct
74 comprehensive planning with respect to the functions of the
75 department; (2) shall coordinate the activities of the [department]
76 division; (3) shall cause the administrative organization of the

77 [department] division to be examined with a view to promoting
78 economy and efficiency; (4) shall, in concurrence with the chairperson
79 of the authority, organize the department into such divisions, bureaus
80 or other units as he deems necessary for the efficient conduct of the
81 business of the [department] division and may from time to time
82 abolish, transfer or consolidate within the [department] division, any
83 other division, bureau or other units as may be necessary for the
84 efficient conduct of the business of the department, provided such
85 organization shall include any division, bureau or other unit which is
86 specifically required by the general statutes; (5) shall, for any
87 proceeding on a proposed rate amendment in which staff of the
88 [department] division are to be made a party pursuant to section 16-
89 19j, determine which staff shall appear and participate in the
90 proceedings and which shall serve the members of the authority; (6)
91 may enter into such contractual agreements, in accordance with
92 established procedures, as may be necessary for the discharge of his
93 duties; and (7) may, subject to the provisions of section 4-32, and
94 unless otherwise provided by law, receive any money, revenue or
95 services from the federal government, corporations, associations or
96 individuals, including payments from the sale of printed matter or any
97 other material or services. The executive director shall require the staff
98 of the [department] division to have expertise in public utility
99 engineering and accounting, finance, economics, computers and rate
100 design. Subject to the provisions of chapter 67 and within available
101 funds in any fiscal year, the executive director may appoint a secretary,
102 and may employ such accountants, clerical assistants, engineers,
103 inspectors, experts, consultants and agents as the [department]
104 division may require.

105 (g) No member of the authority or employee of the [department]
106 division shall, while serving as such, have any interest, financial or
107 otherwise, direct or indirect, or engage in any business, employment,
108 transaction or professional activity, or incur any obligation of any
109 nature, which is in substantial conflict with the proper discharge of his

110 duties or employment in the public interest and of his responsibilities
111 as prescribed in the laws of this state, as defined in section 1-85;
112 provided, no such substantial conflict shall be deemed to exist solely
113 by virtue of the fact that a member of the authority or employee of the
114 [department] division, or any business in which such a person has an
115 interest, receives utility service from one or more Connecticut utilities
116 under the normal rates and conditions of service.

117 (h) No member of the authority or employee of the [department]
118 division shall accept other employment which will either impair his
119 independence of judgment as to his official duties or employment or
120 require him, or induce him, to disclose confidential information
121 acquired by him in the course of and by reason of his official duties.

122 (i) No member of the authority or employee of the [department]
123 division shall wilfully and knowingly disclose, for pecuniary gain, to
124 any other person, confidential information acquired by him in the
125 course of and by reason of his official duties or employment or use any
126 such information for the purpose of pecuniary gain.

127 (j) No member of the authority or employee of the [department]
128 division shall agree to accept, or be in partnership or association with
129 any person, or a member of a professional corporation or in
130 membership with any union or professional association which
131 partnership, association, professional corporation, union or
132 professional association agrees to accept any employment, fee or other
133 thing of value, or portion thereof, in consideration of his appearing,
134 agreeing to appear, or taking any other action on behalf of another
135 person before the authority, the Connecticut Siting Council, the Office
136 of Policy and Management or the Commissioner of Environmental
137 Protection.

138 (k) No commissioner of the authority shall, for a period of one year
139 following the termination of his or her service as a commissioner,
140 accept employment: (1) By a public service company or by any person,

141 firm or corporation engaged in lobbying activities with regard to
142 governmental regulation of public service companies; (2) by a certified
143 telecommunications provider or by any person, firm or corporation
144 engaged in lobbying activities with regard to governmental regulation
145 of persons, firms or corporations so certified; or (3) by an electric
146 supplier or by any person, firm or corporation engaged in lobbying
147 activities with regard to governmental regulation of electric suppliers.
148 No such commissioner who is also an attorney shall in any capacity,
149 appear or participate in any matter, or accept any compensation
150 regarding a matter, before the authority, for a period of one year
151 following the termination of his or her service as a commissioner.

152 Sec. 3. (NEW) (*Effective July 1, 2011*) (a) The Division of Research,
153 Energy and Technology shall, in accordance with the comprehensive
154 plan approved pursuant to section 16a-3a of the general statutes, as
155 amended by this act, (1) increase the state's energy independence and
156 security by promoting conservation and efficiency and the use of
157 diverse indigenous and regional electric resources; (2) encourage the
158 use of renewable energy resources and new electric technologies,
159 particularly technologies that support economic development in the
160 state and promote environmental sustainability; (3) minimize costs of
161 electric services to state consumers while maintaining reliable service;
162 (4) discourage undue price volatility of electric service; and (5)
163 encourage competition, if in the interests of state consumers.

164 (b) The Connecticut Energy and Technology Authority (1) shall
165 conduct comprehensive planning with respect to the functions of the
166 division; (2) shall coordinate the activities of the division; (3) shall
167 cause the administrative organization of the division to be examined
168 with a view to promoting economy and efficiency; (4) may enter into
169 such contractual agreements, in accordance with established
170 procedures, as may be necessary for the discharge of the division's
171 duties; and (5) may, subject to the provisions of section 4-32 of the
172 general statutes, and unless otherwise provided by law, receive any
173 money, revenue or services from the federal government, corporations,

174 associations or individuals, including payments from the sale of
175 printed matter or any other material or services. Within available
176 funds in any fiscal year, the authority may appoint a secretary and
177 may employ such accountants, clerical assistants, engineers,
178 inspectors, experts, consultants and agents as the division may require.

179 (c) The Connecticut Academy of Science and Engineering shall
180 conduct a study on how best to implement a research office regarding
181 electricity and other energy and technology matters within the division
182 and shall report the findings of such study to the joint standing
183 committee of the General Assembly having cognizance of matters
184 relating to energy on or before November 1, 2011.

185 (d) The bureau of power procurement shall report directly to the
186 authority commissioners and shall (1) be responsible for overseeing the
187 procurement of electricity for the standard offer, (2) be a liaison to the
188 New England Power Pool, the regional independent system operator
189 and the Federal Energy Regulatory Commission, (3) recommend to the
190 authority procurement expectations, and (4) report quarterly to the
191 authority commissioners on how current purchasing is meeting the
192 established expectations and if any adjustments should be made.

193 (f) The bureau of conservation and renewable energy shall report
194 directly to the authority commissioners and shall (1) be responsible for
195 the overall implementation of the authority's conservation and
196 renewable energy goals, (2) provide expertise to the authority on
197 conservation and renewable energy dockets and authority decisions,
198 (3) develop, in consultation with the Energy Conservation
199 Management Board and the electric distribution companies, an electric
200 conservation plan, which shall include a review of electric
201 conservation programs and recommendations for meeting the
202 conservation goals established pursuant to section 16a-3a of the
203 general statutes, (4) report annually to the authority on (A) the Energy
204 Conservation Management Board's performance and how such board
205 allocated its funds, and (B) an evaluation of other state conservation

206 programs and recommendations for improving their efficiency.

207 Sec. 4. (*Effective from passage*) (a) There is established a working
 208 group that shall consist of the following: The Secretary of the Office of
 209 Policy and Management, the Consumer Counsel, the chairperson of
 210 the Public Utility Control Authority, the Attorney General, the
 211 executive director of Connecticut Innovations, Incorporated, or their
 212 designees, and the chairpersons and ranking members of the joint
 213 standing committee of the General Assembly having cognizance of
 214 matters relating to energy.

215 (b) The purpose of the working group established pursuant to
 216 subsection (a) of this section shall be to develop plans for the
 217 implementation of organizational and structural changes in state
 218 government related to the establishment of the Connecticut Energy
 219 and Technology Authority and the Division of Public Utility Control
 220 and the Division of Research, Energy and Technology pursuant to
 221 section 1 of this act, as well as to provide recommendations for the
 222 most efficient and effective way to meet the goals of sections 2 and 3 of
 223 this act. On or before January 1, 2011, the working group shall issue a
 224 report of its findings, including, but not limited to, drafts of legislation
 225 necessary for such implementation to the General Assembly.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	16-1b
Sec. 2	<i>July 1, 2011</i>	16-2
Sec. 3	<i>July 1, 2011</i>	New section
Sec. 4	<i>from passage</i>	New section