



General Assembly

**Amendment**

February Session, 2010

LCO No. 5625

**\*SB0041705625HRO\***

Offered by:

REP. CANDELORA, 86<sup>th</sup> Dist.

REP. MINER, 66<sup>th</sup> Dist.

To: Subst. Senate Bill No. 417

File No. 474

Cal. No. 515

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING CALL CENTERS AND THE TIMELY REPAIR OF PUBLIC UTILITY POLES."**

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1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 12-264 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective from*  
5 *passage*):

6 (a) Each (1) municipality, or department or agency thereof, or  
7 district manufacturing, selling or distributing gas to be used for light,  
8 heat or power, (2) company the principal business of which is  
9 manufacturing, selling or distributing gas or steam to be used for light,  
10 heat or power, including each foreign municipal electric utility, as  
11 defined in section 12-59, and given authority to engage in business in  
12 this state pursuant to the provisions of section 16-246c, and (3)

13 company required to register pursuant to section 16-258a shall pay a  
14 quarterly tax upon gross earnings from such operations in this state.  
15 Gross earnings from such operations under subdivisions (1) and (2) of  
16 this subsection shall include (A) all income classified as operating  
17 revenues by the Department of Public Utility Control in the uniform  
18 systems of accounts prescribed by said department for operations  
19 within the taxable quarter and, with respect to each such company, (B)  
20 all income classified in said uniform systems of accounts as income  
21 from merchandising, jobbing and contract work, (C) income from  
22 nonutility operations, (D) revenues from lease of physical property not  
23 devoted to utility operation, and (E) receipts from the sale of residuals  
24 and other by-products obtained in connection with the production of  
25 gas, electricity or steam. Gross earnings from such operations under  
26 subdivision (3) of this subsection shall be gross income from the sales  
27 of natural gas. [ provided gross income shall not include income from  
28 the sale of natural gas to an existing combined cycle facility comprised  
29 of three gas turbines providing electric generation services, as defined  
30 in section 16-1, with a total capacity of seven hundred seventy-five  
31 megawatts, for use in the production of electricity.] Gross earnings of a  
32 gas company, as defined in section 16-1, shall not include income  
33 earned in a taxable quarter commencing prior to June 30, 2008, from  
34 the sale of natural gas or propane as a fuel for a motor vehicle. No  
35 deductions shall be allowed from such gross earnings for any  
36 commission, rebate or other payment, except a refund resulting from  
37 an error or overcharge and those specifically mentioned in section 12-  
38 265. Gross earnings of a company as described in subdivision (2) of  
39 this subsection shall not include income earned in any taxable quarter  
40 commencing on or after July 1, 2000, from the sale of steam.

41 Sec. 502. Subsection (c) of section 12-265 of the general statutes is  
42 repealed and the following is substituted in lieu thereof (*Effective from*  
43 *passage*):

44 (c) [(1)] The rate of tax on the sale, furnishing or distribution of  
45 electricity or natural gas for use directly by a company engaged in a  
46 manufacturing production process, in accordance with the Standard

47 Industrial Classification Manual, United States Office of Management  
48 and Budget, 1987 edition, classifications 2000 to 3999, inclusive, or  
49 Sector 31, 32 or 33 in the North American Industrial Classification  
50 System United States Manual, United States Office of Management and  
51 Budget, 1997 edition, shall be four per cent with respect to calendar  
52 quarters commencing on or after January 1, 1994, and prior to January  
53 1, 1995, three per cent with respect to calendar quarters commencing  
54 on or after January 1, 1995, and prior to January 1, 1996, and two per  
55 cent with respect to calendar quarters commencing on or after January  
56 1, 1996, and prior to January 1, 1997. The sale, furnishing or  
57 distribution of electricity or natural gas for use by a company as  
58 provided in this subsection shall not be subject to the provisions of this  
59 chapter with respect to calendar quarters commencing on or after  
60 January 1, 1997. Not later than thirty days after May 19, 1993, and  
61 thirty days after the effective date of each rate decrease provided for in  
62 this section, each electric and gas public service company, as defined in  
63 section 16-1, which does not have a proposed rate amendment under  
64 section 16-19 pending before the Department of Public Utility Control  
65 at such time, shall request the department to reopen the proceeding  
66 under section 16-19 on the company's most recent rate amendment,  
67 solely for the purpose of decreasing the company's rates to reflect the  
68 decreases required under this section. The department shall  
69 immediately reopen such proceedings, solely for such purpose.

70 [(2) For purposes of this subsection, the sale, furnishing or  
71 distribution of natural gas for use as fuel in the operation of a  
72 cogeneration facility providing electricity or steam to a company  
73 engaged in a manufacturing production process described in  
74 subdivision (1) of this subsection shall be deemed to be a sale,  
75 furnishing or distribution of natural gas for use directly by such  
76 company in such process where such cogeneration facility is located  
77 entirely on the premises owned or controlled by such company,  
78 whether or not the cogeneration facility is owned or operated by such  
79 company.]"