



House of Representatives

General Assembly

File No. 36

January Session, 2011

Substitute House Bill No. 6249

House of Representatives, March 7, 2011

The Committee on Energy and Technology reported through REP. NARDELLO of the 89th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT REQUIRING THE ADOPTION OF REGULATIONS FOR THE SITING OF WIND PROJECTS.

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

1 Section 1. (NEW) (*Effective from passage*) (a) The Connecticut Siting
2 Council, in consultation with the Department of Public Utility Control
3 and the Department of Environmental Protection, shall adopt
4 regulations, in accordance with the provisions of chapter 54 of the
5 general statutes, concerning the siting of wind turbines. Such
6 regulations shall include, but not be limited to, (1) a consideration of
7 (A) setbacks, including considerations of tower height and distance
8 from neighboring properties; (B) flicker; (C) a requirement for the
9 developer to decommission the facility at the end of its useful life; (D)
10 different requirements for projects of different sizes; (E) ice throw; (F)
11 blade shear; and (G) impact on natural resources; and (2) a
12 requirement for a public hearing for wind turbine projects.

13 (b) The Connecticut Siting Council shall act on any application for

14 siting of a wind turbine after the adoption of regulations pursuant to
15 subsection (a) of this section. For any wind turbine application
16 submitted to the siting council on or before the effective date of this
17 section, the siting council shall resume consideration of such
18 application upon adoption of such regulations and shall allow such
19 applicant the opportunity to satisfy the regulation requirements.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

ET *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$
Siting Council, CT	CC&PUCF - Cost	43,000

Note: CC&PUCF=Consumer Counsel and Public Utility Control Fund

Municipal Impact: None

Explanation

This bill will result in a one-time cost of approximately \$43,000 to the Connecticut Siting Council in FY 12. These costs are associated with fees for a consultant with expertise in wind turbines (approximately \$25,000) and other costs associated with holding three public hearings regarding the proposed regulations (\$18,000). These costs include posting hearing notices in legal journals, council member per diems, and a court reporter.

OLR Bill Analysis**sHB 6249*****AN ACT REQUIRING THE ADOPTION OF REGULATIONS FOR THE SITING OF WIND PROJECTS.*****SUMMARY:**

This bill requires the Connecticut Siting Council, in consultation with the departments of Public Utility Control and Environmental Protection, to adopt regulations concerning the siting of wind turbines. The council must resume its consideration of any application pending as of the bill's date of passage upon the adoption of the regulations and give the applicant the opportunity to satisfy the requirements in the regulations. The regulations must at least consider (1) setbacks, including tower height and distance from neighboring properties; (2) flicker; (3) a requirement for the developer to decommission the facility at the end of its useful life; (4) different requirements for different size projects; (5) ice throw; (6) blade shear; and (7) impact on natural resources. The regulations must also require a public hearing for wind turbine projects.

By law, the council can approve proposals for electric generating facilities by (1) granting a certificate of environmental compatibility and public need or (2) issuing a declaratory ruling, depending on the facility's characteristics. Siting Council law refers to certificate "applications" and declaratory ruling "petitions." It is not clear whether the bill applies to the latter.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 14 Nay 6 (02/15/2011)