



# House of Representatives

**File No. 848**

General Assembly

January Session, 2011

**(Reprint of File No. 36)**

Substitute House Bill No. 6249  
As Amended by House  
Amendment Schedule "A"

Approved by the Legislative Commissioner  
May 26, 2011

***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 July 1, 2011*) (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; (G) noise; and (H) impact on natural resources; and (2) a  
12 requirement for a public hearing for wind turbine projects.

13 (b) The Connecticut Siting Council shall not act on any application  
14 or petition for siting of a wind turbine until after the adoption of  
15 regulations pursuant to subsection (a) of this section.

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

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 in FY 12 to the Connecticut Siting Council. These costs are associated with fees for a consultant with expertise in wind turbines (approximately \$25,000) and other costs associated with holding 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.

House "A" makes changes that do not result in a fiscal impact. These changes include changing the effective date and removing the provision which requires the Council to stop its consideration of pending applications until the regulations are adopted.

**The Out Years**

The costs identified above will only occur in FY 12 and have no out year impact.

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**OLR Bill Analysis****sHB 6249 (as amended by House "A")\******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 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; (7) noise; and (8) 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. The bill bars the council from acting on any application or petition for siting a wind turbine until the regulations are adopted.

\*House Amendment "A" (1) requires the regulations to address noise, (2) removes a provision requiring the council to stop its consideration of pending applications until the regulations are adopted, (3) applies the bill's provisions to petitions, and (4) makes the bill effective July 1, 2011 rather than upon passage.

EFFECTIVE DATE: July 1, 2011

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable Substitute

Yea 14 Nay 6 (02/15/2011)

Planning and Development Committee

Joint Favorable

Yea 9 Nay 8 (04/11/2011)

Appropriations Committee

Joint Favorable

Yea 40 Nay 10 (04/26/2011)