



General Assembly

January Session, 2011

Committee Bill No. 1

LCO No. 4531

04531SB00001ET_

Referred to Committee on Energy and Technology

Introduced by:
(ET)

AN ACT CONCERNING CONNECTICUT'S ENERGY FUTURE.

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

1 Section 1. (NEW) (*Effective July 1, 2011*) (a) There is established a
2 Department of Energy and Environmental Protection, which shall, for
3 the purposes of energy policy and regulation, have the following goals:
4 (1) Reducing rates and decreasing costs for Connecticut's ratepayers,
5 (2) ensuring the reliability and safety of our state's energy supply, (3)
6 increasing the state's use of clean energy, and (4) creating jobs and
7 developing the state's energy related economy. The department head
8 shall be the Commissioner of Energy and Environmental Protection
9 who shall be appointed by the Governor in accordance with the
10 provisions of sections 4-5 to 4-8, inclusive, of the general statutes, with
11 the powers and duties therein prescribed.

12 (b) The Department of Energy and Environmental Protection shall
13 constitute a successor department to the Department of Environmental
14 Protection and the Department of Public Utility Control in accordance
15 with the provisions of sections 4-38d, 4-38e and 4-39 of the general
16 statutes. The Department of Energy and Environmental Protection

17 shall be divided into three bureaus, which shall include the Bureau of
18 Energy, the Bureau of Environmental Protection and the Bureau of
19 Public Utility Control. The bureaus shall further be divided into units
20 or divisions, as the commissioner deems appropriate, which shall
21 include, but not be limited to, the following units or divisions: (1)
22 Energy research, (2) telecommunications and technology policy, and
23 (3) conservation and renewable energy. The Bureau of Energy head
24 shall be the energy bureau chief who shall have a background in
25 energy conservation, generation and renewable energy and shall have
26 no industry conflicts. The Bureau of Public Utility Control shall
27 include a procurement manager whose duties shall include, but not be
28 limited to, overseeing the procurement of electricity for standard
29 service. There shall also be, within the department, an Office of the
30 Ombudsman for the purpose of programmatic oversight. Said
31 ombudsman shall communicate with policymakers, stakeholders and
32 individuals affected by the department's implementation of energy
33 policy. The ombudsman shall make findings and recommendations to
34 the Commissioner of Energy and Environmental Protection who may
35 implement such recommendations as appropriate. Annually, the
36 ombudsman shall report in accordance with the provisions of section
37 11-4a of the general statutes to the joint standing committee of the
38 General Assembly having cognizance of matters relating to energy.

39 (c) Wherever the words "Commissioner of Environmental
40 Protection" are used or referenced to in the following sections of the
41 general statutes, the words "Commissioner of Energy and
42 Environmental Protection" shall be substituted in lieu thereof: 3-7, 3-
43 100, 4-5, 4-168, 4a-57, 4a-67d, 4b-15, 4b-15a, 4b-21, 5-238a, 7-121d, 7-131,
44 7-131a, 7-131d, 7-131e, 7-131f, 7-131g, 7-131i, 7-131l, 7-131t, 7-131u, 7-
45 136h, 7-137c, 7-147, 7-151a, 7-151b, 7-245, 7-246, 7-246f, 7-247, 7-249a, 7-
46 323o, 7-374, 7-487, 8-336f, 10-231b, 10-231c, 10-231d, 10-231g, 10-382,
47 10-388, 10-389, 10-391, 12-81, 12-81r, 12-107d, 12-217mm, 12-263m, 12-
48 407, 12-412, 13a-80i, 13a-94, 13a-142a, 13a-142b, 13a-142e, 13a-175j, 13b-
49 11a, 13b-31c, 13b-31e, 13b-38x, 13b-51, 13b-56, 13b-57, 13b-329, 14-21e,

50 14-21i, 14-21s, 14-65a, 14-67l, 14-80a, 14-100b, 14-164c, 14-164h, 14-164i,
51 14-164k, 14-164o, 15-11a, 15-121, 15-125, 15-127, 15-130, 15-133a, 15-
52 133c, 15-140a, 15-140c, 15-140d, 15-140e, 15-140f, 15-140j, 15-140o, 15-
53 140u, 15-140v, 15-141, 15-142, 15-143, 15-144, 15-145, 15-149a, 15-149b,
54 15-150a, 15-151, 15-154, 15-154a, 15-155, 15-155d, 15-156, 15-174, 16-2,
55 16-11a, 16-19e, 16-19g, 16-50c, 16-50d, 16-50j, 16-245, 16-261a, 16a-21a,
56 16a-27, 16a-35h, 16a-38k, 16a-103, 16a-106, 19a-35a, 19a-47, 19a-102a,
57 19a-330, 19a-341, 21-84b, 22-6c, 22-11h, 22-26cc, 22-81a, 22-91c, 22-350a,
58 22-358, 22a-1g, 22a-2a, 22a-5b, 22a-5c, 22a-6, 22a-6a, 22a-6b, 22a-6e, 22a-
59 6f, 22a-6g, 22a-6h, 22a-6i, 22a-6j, 22a-6k, 22a-6l, 22a-6m, 22a-6n, 22a-6p,
60 22a-6s, 22a-6u, 22a-6v, 22a-6w, 22a-6y, 22a-6z, 22a-6aa, 22a-6bb, 22a-
61 6cc, 22a-7a, 22a-7b, 22a-8a, 22a-10, 22a-13, 22a-16a, 22a-21, 22a-21b, 22a-
62 21c, 22a-21d, 22a-21h, 22a-21j, 22a-22, 22a-25, 22a-26, 22a-27, 22a-27f,
63 22a-27l, 22a-27p, 22a-27r, 22a-27s, 22a-27t, 22a-27u, 22a-27v, 22a-27w,
64 22a-29, 22a-35a, 22a-38, 22a-42a, 22a-44, 22a-45a, 22a-45b, 22a-45c, 22a-
65 45d, 22a-47, 22a-54, 22a-54a, 22a-56a, 22a-66a, 22a-66c, 22a-66j, 22a-66k,
66 22a-66l, 22a-66y, 22a-66z, 22a-68, 22a-93, 22a-106a, 22a-109, 22a-113m,
67 22a-113n, 22a-113t, 22a-114, 22a-115, 22a-118, 22a-122, 22a-133a, 22a-
68 133b, 22a-133k, 22a-133l, 22a-133m, 22a-133n, 22a-133u, 22a-133v, 22a-
69 133w, 22a-133y, 22a-133z, 22a-133aa, 22a-133bb, 22a-133ee, 22a-134,
70 22a-134e, 22a-134f, 22a-134g, 22a-134h, 22a-134i, 22a-134k, 22a-134l,
71 22a-134m, 22a-134n, 22a-134p, 22a-134q, 22a-134s, 22a-135, 22a-136,
72 22a-137, 22a-148, 22a-149, 22a-150, 22a-151, 22a-153, 22a-154, 22a-155,
73 22a-156, 22a-158, 22a-160, 22a-162, 22a-170, 22a-171, 22a-173, 22a-174c,
74 22a-174d, 22a-174e, 22a-174f, 22a-174g, 22a-174h, 22a-174i, 22a-174j,
75 22a-174k, 22a-174l, 22a-174m, 22a-180, 22a-182a, 22a-183, 22a-186, 22a-
76 188, 22a-188a, 22a-191, 22a-191a, 22a-192, 22a-193, 22a-194a, 22a-194c,
77 22a-194f, 22a-198, 22a-199, 22a-200, 22a-200a, 22a-200b, 22a-200c, 22a-
78 201a, 22a-201b, 22a-207, 22a-208a, 22a-208b, 22a-208d, 22a-208e, 22a-
79 208f, 22a-208g, 22a-208h, 22a-208j, 22a-208o, 22a-208p, 22a-208q, 22a-
80 208v, 22a-208w, 22a-208x, 22a-208y, 22a-208aa, 22a-208bb, 22a-209a,
81 22a-209b, 22a-209d, 22a-209f, 22a-209g, 22a-209h, 22a-209i, 22a-213a,
82 22a-214, 22a-219b, 22a-219c, 22a-219e, 22a-220, 22a-220a, 22a-220d, 22a-
83 222, 22a-223, 22a-225, 22a-227, 22a-228, 22a-230, 22a-231, 22a-233a, 22a-

84 235, 22a-235a, 22a-237, 22a-238, 22a-239, 22a-240, 22a-240a, 22a-241,
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86 22a-245b, 22a-245d, 22a-248, 22a-250, 22a-250a, 22a-250b, 22a-250c, 22a-
87 252, 22a-255b, 22a-255c, 22a-255d, 22a-255f, 22a-255h, 22a-256b, 22a-
88 256c, 22a-256i, 22a-256m, 22a-256o, 22a-256q, 22a-256r, 22a-256v, 22a-
89 256y, 22a-256aa, 22a-260, 22a-264, 22a-283, 22a-285a, 22a-285d, 22a-
90 285e, 22a-285g, 22a-285h, 22a-285j, 22a-295, 22a-300, 22a-308, 22a-309,
91 22a-314, 22a-315, 22a-316, 22a-317, 22a-318, 22a-319, 22a-320, 22a-321,
92 22a-322, 22a-324, 22a-326, 22a-328, 22a-336, 22a-337, 22a-339a, 22a-339b,
93 22a-339c, 22a-339d, 22a-339f, 22a-339g, 22a-339h, 22a-342a, 22a-349,
94 22a-349a, 22a-351, 22a-352, 22a-354b, 22a-354c, 22a-354d, 22a-354e, 22a-
95 354f, 22a-354h, 22a-354i, 22a-354j, 22a-354k, 22a-354l, 22a-354m, 22a-
96 354p, 22a-354q, 22a-354t, 22a-354u, 22a-354v, 22a-354w, 22a-354x, 22a-
97 354z, 22a-354aa, 22a-354bb, 22a-354cc, 22a-355, 22a-357, 22a-359, 22a-
98 361, 22a-361a, 22a-363b, 22a-364, 22a-367, 22a-368a, 22a-378a, 22a-381,
99 22a-401, 22a-402, 22a-406, 22a-409, 22a-416, 22a-423, 22a-426, 22a-430b,
100 22a-430c, 22a-434a, 22a-439, 22a-439a, 22a-444, 22a-445, 22a-449, 22a-
101 449d, 22a-449e, 22a-449f, 22a-449g, 22a-449h, 22a-449i, 22a-449j, 22a-
102 449k, 22a-449l, 22a-449n, 22a-449p, 22a-449q, 22a-450a, 22a-452a, 22a-
103 452e, 22a-453a, 22a-454c, 22a-457a, 22a-457b, 22a-458, 22a-459, 22a-461,
104 22a-462, 22a-463, 22a-471, 22a-472, 22a-474, 22a-475, 22a-482, 22a-485,
105 22a-497, 22a-500, 22a-501, 22a-517, 22a-521, 22a-522, 22a-523, 22a-524,
106 22a-525, 22a-526, 22a-527, 22a-601, 22a-602, 22a-604, 22a-605, 22a-613,
107 22a-616, 22a-626, 22a-627, 22a-629, 22a-630, 22a-634, 22a-637, 22a-638,
108 22a-902, 23-4, 23-5, 23-5b, 23-6, 23-7, 23-8, 23-8b, 23-9a, 23-9b, 23-10, 23-
109 10b, 23-10c, 23-10e, 23-10i, 23-11, 23-12, 23-13, 23-14, 23-15a, 23-15b, 23-
110 16, 23-16a, 23-17, 23-18, 23-20, 23-21, 23-22, 23-23, 23-24, 23-24a, 23-25,
111 23-26b, 23-26c, 23-26d, 23-26f, 23-26g, 23-30, 23-31, 23-32, 23-32a, 23-33,
112 23-37a, 23-37b, 23-41, 23-61a, 23-61b, 23-61f, 23-65, 23-65f, 23-65g, 23-
113 65h, 23-65i, 23-65j, 23-65l, 23-65m, 23-65n, 23-65o, 23-65p, 23-65q, 23-73,
114 23-75, 23-77, 23-101, 23-102, 24-2, 25-32b, 25-32d, 25-32i, 25-33e, 25-33g,
115 25-33h, 25-33k, 25-33m, 25-33o, 25-34, 25-68b, 25-68i, 25-68k, 25-68l, 25-
116 68m, 25-68n, 25-71, 25-72, 25-74, 25-76, 25-80, 25-83a, 25-94, 25-95, 25-
117 97, 25-102a, 25-102d, 25-102e, 25-102f, 25-102m, 25-102t, 25-102ii, 25-

118 102qq, 25-102xx, 25-109e, 25-109q, 25-131, 25-139, 25-155, 25-157, 25-
119 178, 25-199, 25-199a, 25-201, 25-231, 26-1, 26-3, 26-3a, 26-3b, 26-3c, 26-5,
120 26-6, 26-6a, 26-7, 26-15, 26-17a, 26-18, 26-25a, 26-25b, 26-27, 26-27b, 26-
121 27c, 26-27d, 26-28b, 26-29c, 26-30, 26-31, 26-31a, 26-40a, 26-40c, 26-46,
122 26-55, 26-65, 26-65a, 26-67b, 26-67c, 26-67e, 26-74, 26-80a, 26-86a, 26-86c,
123 26-86e, 26-91, 26-103, 26-107f, 26-107h, 26-107i, 26-115, 26-119, 26-141a,
124 26-141b, 26-141c, 26-142a, 26-142b, 26-157c, 26-157d, 26-157e, 26-157f,
125 26-157h, 26-157i, 26-159a, 26-186a, 26-192j, 26-297, 26-313, 26-314, 26-
126 315, 26-316, 28-1b, 28-31, 29-32b, 32-1e, 32-1o, 32-9cc, 32-9dd, 32-9kk,
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128 47-65, 47-65a, 47-66, 47-66d, 47-66g, 51-164n, 52-192, 52-473a, 53-190,
129 53a-44a, 53a-54b and 53a-217e.

130 (d) Wherever the words "Department of Environmental Protection"
131 are used or referred to in the following sections of the general statutes,
132 the words "Department of Energy and Environmental Protection" shall
133 be substituted in lieu thereof: 1-84, 1-206, 1-217, 2-20a, 4-38c, 4-66c, 4-
134 66aa, 4-89, 4a-53, 4b-15, 5-142, 7-131e, 7-151a, 7-151b, 7-252, 8-387, 10-
135 282, 10-291, 10-413, 10a-119e, 12-63e, 12-263m, 13a-142b, 13a-142c, 13a-
136 142d, 13b-38a, 14-386, 15-129, 15-130a, 15-140e, 15-140f, 15-140j, 15-154,
137 15-155, 16-19h, 16-19o, 16-50j, 16-50k, 16-50p, 16-243q, 16-244d, 16-244j,
138 16-245l, 16-245y, 16-262m, 16-262n, 19a-197b, 19a-320, 20-420, 21-84b,
139 22-11f, 22-11g, 22-11h, 22-26cc, 22-81, 22-91e, 22-455, 22a-1d, 22a-2, 22a-
140 2a, 22a-2c, 22a-5b, 22a-6, 22a-6f, 22a-6g, 22a-6l, 22a-6p, 22a-6r, 22a-6u,
141 22a-6x, 22a-6cc, 22a-10, 22a-11, 22a-20a, 22a-21, 22a-21a, 22a-21b, 22a-
142 21c, 22a-21i, 22a-21j, 22a-21k, 22a-22, 22a-25, 22a-26, 22a-26a, 22a-27j,
143 22a-27l, 22a-27s, 22a-29, 22a-33, 22a-40, 22a-47a, 22a-58, 22a-61, 22a-66z,
144 22a-68, 22a-115, 22a-118, 22a-119, 22a-122, 22a-123, 22a-126, 22a-132,
145 22a-133v, 22a-133w, 22a-134i, 22a-135, 22a-170, 22a-174, 22a-174l, 22a-
146 186, 22a-188a, 22a-196, 22a-198, 22a-200b, 22a-200c, 22a-200d, 22a-207,
147 22a-208a, 22a-209f, 22a-223, 22a-233a, 22a-239a, 22a-244, 22a-245a, 22a-
148 247, 22a-248, 22a-250, 22a-255h, 22a-256m, 22a-256y, 22a-259, 22a-260,
149 22a-264, 22a-275, 22a-314, 22a-315, 22a-336, 22a-352, 22a-355, 22a-361,
150 22a-363b, 22a-416, 22a-426, 22a-446, 22a-449f, 22a-449l, 22a-449n, 22a-

151 454a, 22a-475, 22a-477, 22a-509, 22a-521, 22a-601, 22a-629, 22a-630, 22a-
152 635, 23-5c, 23-8, 23-8b, 23-10b, 23-10d, 23-15, 23-15b, 23-19, 23-20, 23-
153 24a, 23-32a, 23-61a, 23-65f, 23-65h, 23-65i, 23-65k, 23-67, 23-68, 23-72,
154 23-73, 23-101, 23-102, 23-103, 25-32d, 25-33o, 25-33p, 25-37d, 25-37e, 25-
155 37i, 25-43c, 25-102e, 25-102f, 25-128, 25-131, 25-157, 25-157a, 25-157b,
156 25-157n, 25-175, 25-201, 25-203, 25-206, 25-231, 26-6a, 26-15, 26-15a, 26-
157 15b, 26-17a, 26-27b, 26-31, 26-40a, 26-55, 26-55a, 26-59, 26-66a, 26-66b,
158 26-72, 26-86f, 26-105, 26-142a, 26-157d, 26-192k, 26-300, 26-304, 26-314,
159 28-31, 29-28, 29-36f, 30-55a, 32-1e, 32-9t, 32-9cc, 32-9dd, 32-9kk, 32-9ll,
160 32-11a, 32-23d, 32-23x, 32-242, 32-242a, 32-726, 46b-220, 47-46a, 47-64,
161 52-557b, 53-204, 53-205, 53-206d, 53a-44a, 53a-217e, 54-56g and 54-143.

162 (e) Wherever the words "Department of Public Utility Control" are
163 used or referred to in the following sections of the general statutes, the
164 words "Department of Energy and Environmental Protection" shall be
165 substituted in lieu thereof: 1-84, 1-84b, 2-20a, 2-71p, 4-38c, 4a-57, 4a-74,
166 4d-2, 4d-80, 7-223, 7-233t, 7-233ii, 8-387, 12-81q, 12-94d, 12-264, 12-265,
167 12-408b, 12-412, 12-491, 13a-82, 13a-126, 13a-126a, 13b-10a, 13b-37, 13b-
168 43, 13b-44, 13b-387a, 15-96, 16-1, 16-1b, 16-2, 16-2a, 16-4, 16-6, 16-6a, 16-
169 6b, 16-7, 16-8, 16-8a, 16-8b, 16-8c, 16-8d, 16-9, 16-9a, 16-10, 16-10a, 16-
170 11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-17, 16-18, 16-18a, 16-19, 16-19a,
171 16-19b, 16-19d, 16-19e, 16-19f, 16-19h, 16-19k, 16-19n, 16-19o, 16-19u,
172 16-19w, 16-19x, 16-19z, 16-19aa, 16-19bb, 16-19cc, 16-19dd, 16-19ee, 16-
173 19ff, 16-19gg, 16-19jj, 16-19kk, 16-19mm, 16-19nn, 16-19oo, 16-19pp, 16-
174 19qq, 16-19ss, 16-19tt, 16-19uu, 16-19vv, 16-20, 16-21, 16-23, 16-24, 16-
175 25, 16-25a, 16-26, 16-27, 16-28, 16-29, 16-32, 16-32a, 16-32b, 16-32c, 16-
176 32e, 16-32g, 16-33, 16-35, 16-41, 16-42, 16-43, 16-43a, 16-43d, 16-44, 16-
177 44a, 16-45, 16-46, 16-47, 16-47a, 16-48, 16-49, 16-49e, 16-50c, 16-50d, 16-
178 50f, 16-50k, 16-50aa, 16-216, 16-227, 16-231, 16-233, 16-234, 16-235, 16-
179 238, 16-243, 16-243a, 16-243b, 16-243c, 16-243f, 16-243j, 16-243k, 16-
180 243m, 16-243n, 16-243p, 16-243q, 16-243r, 16-243s, 16-243t, 16-243u, 16-
181 243w, 16-244a, 16-244b, 16-244c, 16-244d, 16-244e, 16-244f, 16-244g, 16-
182 244h, 16-244i, 16-244k, 16-244l, 16-245, 16-245a, 16-245b, 16-245c, 16-
183 245d, 16-245e, 16-245g, 16-245l, 16-245o, 16-245p, 16-245q, 16-245s, 16-

184 245t, 16-245u, 16-245v, 16-245w, 16-245x, 16-245y, 16-246, 16-246e, 16-
185 246g, 16-247c, 16-247j, 16-247l, 16-247m, 16-247o, 16-247p, 16-247q, 16-
186 247t, 16-249, 16-250, 16-250a, 16-250b, 16-256b, 16-256c, 16-256g, 16-
187 256h, 16-256k, 16-258a, 16-258b, 16-258c, 16-259, 16-261, 16-261a, 16-
188 262a, 16-262c, 16-262d, 16-262i, 16-262j, 16-262k, 16-262l, 16-262m, 16-
189 262n, 16-262o, 16-262q, 16-262r, 16-262s, 16-262v, 16-262w, 16-262x, 16-
190 265, 16-269, 16-271, 16-272, 16-273, 16-274, 16-275, 16-276, 16-278, 16-
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192 331c, 16-331e, 16-331f, 16-331g, 16-331h, 16-331i, 16-331j, 16-331k, 16-
193 331n, 16-331o, 16-331p, 16-331q, 16-331r, 16-331t, 16-331u, 16-331v, 16-
194 331y, 16-331z, 16-331aa, 16-331cc, 16-331dd, 16-331ff, 16-331gg, 16-332,
195 16-333, 16-333a, 16-333b, 16-333e, 16-333f, 16-333g, 16-333h, 16-333i, 16-
196 333l, 16-333n, 16-333o, 16-333p, 16-347, 16-348, 16-356, 16-357, 16-358,
197 16-359, 16a-3, 16a-3a, 16a-3b, 16a-3c, 16a-7b, 16a-7c, 16a-13b, 16a-37c,
198 16a-38n, 16a-38o, 16a-40b, 16a-40k, 16a-41, 16a-46, 16a-46b, 16a-46c,
199 16a-47a, 16a-47b, 16a-47c, 16a-47d, 16a-47e, 16a-49, 16a-103, 20-298, 20-
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201 22a-200c, 22a-256dd, 22a-266, 22a-358, 22a-475, 22a-478, 22a-479, 23-8b,
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203 37d, 25-37e, 26-141b, 28-1b, 28-24, 28-26, 28-27, 28-31, 29-282, 29-415,
204 32-80a, 32-222, 33-219, 33-221, 33-241, 33-951, 42-287, 43-44, 49-4c and
205 52-259a.

206 (f) Wherever the words "Secretary of the Office of Policy and
207 Management" are used or referred to in the following sections of title
208 16a of the general statutes, the words "Commissioner of Energy and
209 Environmental Protection" shall be substituted in lieu thereof: 16a-3,
210 16a-4d, 16a-6, 16a-14, 16a-22, 16a-22c, 16a-22h, 16a-22i, 16a-22j, 16a-23t,
211 16a-35c, 16a-35d, 16a-35h, 16a-37c, 16a-37f, 16a-37u, 16a-38, 16a-38a,
212 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-38m, 16a-38o, 16a-39b, 16a-40b,
213 16a-41a, 16a-44b, 16a-46a, 16a-46c, 16a-46e, 16a-46f, 16a-102 and 16a-
214 106.

215 (g) Wherever the words "Office of Policy and Management" are
216 used or referred to in the following sections of title 16a of the general

217 statutes, the words "Department of Energy and Environmental
218 Protection" shall be substituted in lieu thereof: 16a-2, 16a-3, 16a-4d,
219 16a-6, 16a-7b, 16a-14, 16a-14e, 16a-20, 16a-22, 16a-22c, 16a-22h, 16a-22i,
220 16a-22j, 16a-23t, 16a-35c, 16a-35d, 16a-35g, 16a-35h, 16a-37c, 16a-37f,
221 16a-37u, 16a-37v, 16a-37w, 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j,
222 16a-38k, 16a-38l, 16a-38m, 16a-38n, 16a-38o, 16a-39b, 16a-40b, 16a-40f,
223 16a-41a, 16a-44b, 16a-46a, 16a-46c, 16a-46e, 16a-46f, 16a-46g, 16a-102
224 and 16a-106.

225 (h) Wherever the word "secretary" is used or referred to in the
226 following sections of title 16a of the general statutes, the word
227 "commissioner" shall be substituted in lieu thereof: 16a-2, 16a-3, 16a-
228 4d, 16a-6, 16a-9, 16a-11, 16a-12, 16a-13, 16a-13a, 16a-13b, 16a-14, 16a-
229 14a, 16a-14b, 16a-22, 16a-22c, 16a-22d, 16a-22e, 16a-22f, 16a-22h, 16a-
230 22i, 16a-22j, 16a-23t, 16a-35c, 16a-35d, 16a-35h, 16a-37c, 16a-37f, 16a-
231 37u, 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-38m, 16a-
232 38o, 16a-39b, 16a-40b, 16a-41a, 16a-44b, 16a-45a, 16a-46a, 16a-46b, 16a-
233 46c, 16a-46e, 16a-46f, 16a-102, 16a-106 and 16a-111.

234 (i) If the term "Department of Environmental Protection" or
235 "Department of Public Utility Control" is used or referred to in any
236 public or special act of 2011, or in any section of the general statutes
237 which is amended in 2011, it shall be deemed to refer to the
238 Department of Energy and Environmental Protection.

239 (j) If the term "Commissioner of Environmental Protection" is used
240 or referred to in any public or special act of 2011, or in any section of
241 the general statutes which is amended in 2011, it shall be deemed to
242 refer to the Commissioner of Energy and Environmental Protection.

243 Sec. 2. Section 4-5 of the general statutes is repealed and the
244 following is substituted in lieu thereof (*Effective July 1, 2011*):

245 As used in sections 4-6, 4-7 and 4-8, the term "department head"
246 means Secretary of the Office of Policy and Management,
247 Commissioner of Administrative Services, Commissioner of Revenue

248 Services, Banking Commissioner, Commissioner of Children and
249 Families, Commissioner of Consumer Protection, Commissioner of
250 Correction, Commissioner of Economic and Community Development,
251 State Board of Education, Commissioner of Emergency Management
252 and Homeland Security, Commissioner of Energy and Environmental
253 Protection, Commissioner of Agriculture, Commissioner of Public
254 Health, Insurance Commissioner, Labor Commissioner, Liquor
255 Control Commission, Commissioner of Mental Health and Addiction
256 Services, Commissioner of Public Safety, Commissioner of Social
257 Services, Commissioner of Developmental Services, Commissioner of
258 Motor Vehicles, Commissioner of Transportation, Commissioner of
259 Public Works, Commissioner of Veterans' Affairs, Chief Information
260 Officer, [the chairperson of the Public Utilities Control Authority,] the
261 executive director of the Board of Education and Services for the Blind,
262 the executive director of the Connecticut Commission on Culture and
263 Tourism, and the executive director of the Office of Military Affairs. As
264 used in sections 4-6 and 4-7, "department head" also means the
265 Commissioner of Education.

266 Sec. 3. Section 4-38c of the general statutes is repealed and the
267 following is substituted in lieu thereof (*Effective July 1, 2011*):

268 There shall be within the executive branch of state government the
269 following departments: Office of Policy and Management, Department
270 of Administrative Services, Department of Revenue Services,
271 Department of Banking, Department of Agriculture, Department of
272 Children and Families, Department of Consumer Protection,
273 Department of Correction, Department of Economic and Community
274 Development, State Board of Education, Department of Emergency
275 Management and Homeland Security, Department of Energy and
276 Environmental Protection, Department of Public Health, Board of
277 Governors of Higher Education, Insurance Department, Labor
278 Department, Department of Mental Health and Addiction Services,
279 Department of Developmental Services, Department of Public Safety,
280 Department of Social Services, Department of Transportation,

281 Department of Motor Vehicles, Department of Veterans' Affairs [.] and
282 Department of Public Works. [and Department of Public Utility
283 Control.]

284 Sec. 4. Section 4-67e of the general statutes is repealed and the
285 following is substituted in lieu thereof (*Effective July 1, 2011*):

286 The Secretary of the Office of Policy and Management shall
287 coordinate the activity of the Commissioners of Public Health and
288 Energy and Environmental Protection [and the chairperson of the
289 Public Utilities Control Authority] in the following: (1) The review of
290 the authority of each agency for consistency with the policies
291 established by section 22a-380, (2) the preparation of a memorandum
292 of understanding, not more than six months after October 1, 1991,
293 intended to avoid inconsistency, overlap and redundancy in
294 requirements and authority of each agency in water conservation
295 issues, emergency contingency plans and regulatory authority under
296 chapters 283, 446i, 446j and 474, (3) the review of exercise of regulatory
297 authority over water companies, as defined in section 25-32a, to
298 determine whether inconsistency, overlap or redundancy exist in the
299 statutory requirements or regulatory authority of such agencies under
300 chapters 283, 446i, 446j, and 474, (4) the assessment of the necessity of a
301 memorandum of understanding to avoid such inconsistency, overlap
302 or redundancy, and, if determined to be necessary, the preparation of
303 such a memorandum by July 1, 1995, and (5) the development of
304 recommendations for legislation and amendments to regulations to
305 implement the provisions of a memorandum of understanding
306 prepared pursuant to this section, or for consistency with the policies
307 established by section 22a-380. There shall be a period of public review
308 and comment on a memorandum of understanding prior to final
309 agreement. On or before January 1, 1995, the [secretary] commissioner
310 shall submit to the joint standing committees of the General Assembly
311 having cognizance of matters relating to public health, energy and
312 public utilities and the environment, written findings, and any
313 recommendations, concerning the review and assessment conducted

314 pursuant to subdivisions (3) and (4) of this section.

315 Sec. 5. Subsections (a) and (b) of section 4b-47 of the general statutes
316 are repealed and the following is substituted in lieu thereof (*Effective*
317 *July 1, 2011*):

318 (a) Prior to the sale or transfer of state land or any interest in state
319 land by a state agency, department or institution, such agency,
320 department or institution shall provide notice of such sale or transfer
321 to the Council on Environmental Quality, the Secretary of the Office of
322 Policy and Management and the Commissioner of Energy and
323 Environmental Protection on a form approved by the [Council on
324 Environmental Quality] Commissioner of Energy and Environmental
325 Protection. Such notice shall be published in the Environmental
326 Monitor and shall provide for a written public comment period of
327 thirty days following publication of such notice, during which the
328 public and state agencies may submit comments to the Secretary of the
329 Office of Policy and Management. Such comments may include, but
330 shall not be limited to, significant natural and recreational resources on
331 such land and recommend means to preserve such natural or
332 recreational resources. The Secretary of the Office of Policy and
333 Management, in consultation with the Commissioner of Energy and
334 Environmental Protection, shall (1) respond to any written comments
335 received during such thirty-day comment period, and (2) publish such
336 written comments along with the Office of Policy and Management's
337 response to such written comments in the Environmental Monitor for a
338 period of not less than fifteen days prior to the sale or transfer of the
339 land.

340 (b) The Commissioner of Energy and Environmental Protection
341 shall develop a policy for reviewing notices received from a state
342 agency, department or institution, as described in subsection (a) of this
343 section, and making a draft recommendation to the Secretary of the
344 Office of Policy and Management as to whether all or a portion of the
345 land or land interest referenced in such notice should be preserved by

346 (1) transferring the land or land interest or granting a conservation
347 easement therein to the Department of Energy and Environmental
348 Protection, (2) imposing restrictions or conditions upon the transfer of
349 the land or land interest, or (3) transferring all or a portion of the land
350 or land interest, or granting a conservation easement interest therein,
351 to an appropriate third party. Any such recommendations shall be
352 accompanied by a report explaining the basis of the recommendations
353 and shall include, where appropriate, a natural resource inventory.
354 Such recommendations and report shall be published in the
355 Environmental Monitor and shall provide for a written public
356 comment period of thirty days following publication of such notice.
357 The Commissioner of Energy and Environmental Protection shall (A)
358 respond to any written comments received during such thirty-day
359 comment period, (B) make a final recommendation to the Secretary of
360 the Office of Policy and Management, and (C) publish such written
361 comments along with the Department of Energy and Environmental
362 Protection's response to such written comments including the
363 department's final recommendation to the [secretary] commissioner in
364 the Environmental Monitor. Following receipt of the final
365 recommendation of the Commissioner of Energy and Environmental
366 Protection, the Secretary of the Office of Policy and Management shall
367 make the final determination as to the ultimate disposition of the land
368 or interest. Such determination shall be published in the
369 Environmental Monitor for a period of not less than fifteen days prior
370 to the sale or transfer of such land or interest.

371 Sec. 6. Subsection (a) of section 4d-90 of the general statutes is
372 repealed and the following is substituted in lieu thereof (*Effective*
373 *July 1, 2011*):

374 (a) There is established a Geospatial Information Systems Council
375 consisting of the following members, or their designees: (1) The
376 Secretary of the Office of Policy and Management; (2) the
377 Commissioners of Energy and Environmental Protection, Economic
378 and Community Development, Transportation, Public Safety, Public

379 Health, Public Works, Agriculture, Emergency Management and
380 Homeland Security and Social Services; (3) the Chief Information
381 Officer of the Department of Information Technology; (4) the
382 Chancellor of the Connecticut State University System; (5) the
383 president of The University of Connecticut; (6) [the Executive Director
384 of the Connecticut Siting Council; (7)] one member who is a user of
385 geospatial information systems appointed by the president pro
386 tempore of the Senate representing a municipality with a population of
387 more than sixty thousand; [(8)] (7) one member who is a user of
388 geospatial information systems appointed by the minority leader of the
389 Senate representing a regional planning agency; [(9)] (8) one member
390 who is a user of geospatial information systems appointed by the
391 Governor representing a municipality with a population of less than
392 sixty thousand but more than thirty thousand; [(10)] (9) one member
393 who is a user of geospatial information systems appointed by the
394 speaker of the House of Representatives representing a municipality
395 with a population of less than thirty thousand; [(11)] (10) one member
396 appointed by the minority leader of the House of Representatives who
397 is a user of geospatial information systems; [(12) the chairperson of the
398 Public Utilities Control Authority; (13)] (11) the Adjutant General of
399 the Military Department; and [(14)] (12) any other persons the council
400 deems necessary appointed by the council. The Governor shall select
401 the chairperson from among the members. The chairperson shall
402 administer the affairs of the council. Vacancies shall be filled by
403 appointment by the authority making the appointment. Members shall
404 receive no compensation for their services on said council, but shall be
405 reimbursed for necessary expenses incurred in the performance of
406 their duties. Said council shall hold one meeting each calendar quarter
407 and such additional meetings as may be prescribed by council rules. In
408 addition, special meetings may be called by the chairperson or by any
409 three members upon delivery of forty-eight hours written notice to
410 each member.

411 Sec. 7. Subsection (a) of section 4d-100 of the general statutes is

412 repealed and the following is substituted in lieu thereof (*Effective*
413 *July 1, 2011*):

414 (a) There shall be a Broadband Internet Coordinating Council,
415 which shall include representatives from both the private and public
416 sectors. The council shall consist of ten members, two of whom shall be
417 appointed by the Governor, two of whom shall be appointed by the
418 president pro tempore of the Senate, two of whom shall be appointed
419 by the speaker of the House of Representatives, one of whom shall be
420 appointed by the majority leader of the Senate, one of whom shall be
421 appointed by the majority leader of the House of Representatives, one
422 of whom shall be appointed by the minority leader of the Senate and
423 one of whom shall be appointed by the minority leader of the House of
424 Representatives. One of each of the two members appointed by the
425 Governor, the president pro tempore of the Senate and the speaker of
426 the House of Representatives shall have specific expertise in the area of
427 telecommunications. Members of the council shall serve without
428 compensation, except for necessary expenses incurred in the
429 performance of their duties. Members shall serve on the council for
430 terms of two years each and no member shall serve for more than two
431 consecutive terms. The [chairperson of the Public Utilities Control
432 Authority, or the chairperson's designee, and the] Commissioner of
433 Energy and Environmental Protection, or the commissioner's designee,
434 Secretary of the Office of Policy and Management, or the secretary's
435 designee, shall be an ex-officio [members] member of the council
436 without vote and shall attend its meetings. Any member who fails to
437 attend three consecutive meetings or fifty per cent of all meetings
438 during any calendar year shall be deemed to have resigned. The
439 president pro tempore of the Senate and the speaker of the House of
440 Representatives shall jointly choose a chairperson and a vice-
441 chairperson to act in the chairperson's absence.

442 Sec. 8. Section 16-1 of the general statutes is repealed and the
443 following is substituted in lieu thereof (*Effective July 1, 2011*):

444 (a) Terms used in this title and in chapters 244, 244a, 244b, 245, 245a
445 and 245b shall be construed as follows, unless another meaning is
446 expressed or is clearly apparent from the language or context:

447 (1) "Authority" means the Public Utilities Control Authority and
448 "department" means the Department of [Public Utility Control] Energy
449 and Environmental Protection;

450 (2) "Commissioner" means a member of said authority;

451 (3) "Commissioner of Transportation" means the Commissioner of
452 Transportation appointed under section 13b-3;

453 (4) "Public service company" includes electric, electric distribution,
454 gas, telephone, telegraph, pipeline, sewage, water and community
455 antenna television companies and holders of a certificate of cable
456 franchise authority, owning, leasing, maintaining, operating,
457 managing or controlling plants or parts of plants or equipment, and all
458 express companies having special privileges on railroads within this
459 state, but shall not include telegraph company functions concerning
460 intrastate money order service, towns, cities, boroughs, any municipal
461 corporation or department thereof, whether separately incorporated or
462 not, a private power producer, as defined in section 16-243b, or an
463 exempt wholesale generator, as defined in 15 USC 79z-5a;

464 (5) "Plant" includes all real estate, buildings, tracks, pipes, mains,
465 poles, wires and other fixed or stationary construction and equipment,
466 wherever located, used in the conduct of the business of the company;

467 (6) "Railroad company" includes every person owning, leasing,
468 maintaining, operating, managing or controlling any railroad, or any
469 cars or other equipment employed thereon or in connection therewith,
470 for public or general use within this state;

471 (7) "Street railway company" includes every person owning, leasing,
472 maintaining, operating, managing or controlling any street railway, or

473 any cars or other equipment employed thereon or in connection
474 therewith, for public or general use within this state;

475 (8) "Electric company" includes, until an electric company has been
476 unbundled in accordance with the provisions of section 16-244e, every
477 person owning, leasing, maintaining, operating, managing or
478 controlling poles, wires, conduits or other fixtures, along public
479 highways or streets, for the transmission or distribution of electric
480 current for sale for light, heat or power within this state, or, engaged in
481 generating electricity to be so transmitted or distributed for such
482 purpose, but shall not include (A) a private power producer, as
483 defined in section 16-243b, (B) an exempt wholesale generator, as
484 defined in 15 USC 79z-5a, (C) a municipal electric utility established
485 under chapter 101, (D) a municipal electric energy cooperative
486 established under chapter 101a, (E) an electric cooperative established
487 under chapter 597, or (F) any other electric utility owned, leased,
488 maintained, operated, managed or controlled by any unit of local
489 government under any general statute or any public or special act;

490 (9) "Gas company" includes every person owning, leasing,
491 maintaining, operating, managing or controlling mains, pipes or other
492 fixtures, in public highways or streets, for the transmission or
493 distribution of gas for sale for heat or power within this state, or
494 engaged in the manufacture of gas to be so transmitted or distributed
495 for such purpose, but shall not include a person manufacturing gas
496 through the use of a biomass gasification plant provided such person
497 does not own, lease, maintain, operate, manage or control mains, pipes
498 or other fixtures in public highways or streets, a municipal gas utility
499 established under chapter 101 or any other gas utility owned, leased,
500 maintained, operated, managed or controlled by any unit of local
501 government under any general statute or any public or special act;

502 (10) "Water company" includes every person owning, leasing,
503 maintaining, operating, managing or controlling any pond, lake,
504 reservoir, stream, well or distributing plant or system employed for

505 the purpose of supplying water to fifty or more consumers. A water
506 company does not include homeowners, condominium associations
507 providing water only to their members, homeowners associations
508 providing water to customers at least eighty per cent of whom are
509 members of such associations, a municipal waterworks system
510 established under chapter 102, a district, metropolitan district,
511 municipal district or special services district established under chapter
512 105, chapter 105a or any other general statute or any public or special
513 act which is authorized to supply water, or any other waterworks
514 system owned, leased, maintained, operated, managed or controlled
515 by any unit of local government under any general statute or any
516 public or special act;

517 (11) "Consumer" means any private dwelling, boardinghouse,
518 apartment, store, office building, institution, mechanical or
519 manufacturing establishment or other place of business or industry to
520 which water is supplied by a water company;

521 (12) "Sewage company" includes every person owning, leasing,
522 maintaining, operating, managing or controlling, for general use in any
523 town, city or borough, or portion thereof, in this state, sewage disposal
524 facilities which discharge treated effluent into any waterway of this
525 state;

526 (13) "Pipeline company" includes every person owning, leasing,
527 maintaining, operating, managing or controlling mains, pipes or other
528 fixtures through, over, across or under any public land, water,
529 parkways, highways, parks or public grounds for the transportation,
530 transmission or distribution of petroleum products for hire within this
531 state;

532 (14) "Community antenna television company" includes every
533 person owning, leasing, maintaining, operating, managing or
534 controlling a community antenna television system, in, under or over
535 any public street or highway, for the purpose of providing community

536 antenna television service for hire and shall include any municipality
537 which owns or operates one or more plants for the manufacture or
538 distribution of electricity pursuant to section 7-213 or any special act
539 and seeks to obtain or obtains a certificate of public convenience and
540 necessity to construct or operate a community antenna television
541 system pursuant to section 16-331 or a certificate of cable franchise
542 authority pursuant to section 16-331q. "Community antenna television
543 company" does not include a certified competitive video service
544 provider;

545 (15) "Community antenna television service" means (A) the one-way
546 transmission to subscribers of video programming or information that
547 a community antenna television company makes available to all
548 subscribers generally, and subscriber interaction, if any, which is
549 required for the selection of such video programming or information,
550 and (B) noncable communications service. "Community antenna
551 television service" does not include video service provided by a
552 certified competitive video service provider;

553 (16) "Community antenna television system" means a facility,
554 consisting of a set of closed transmission paths and associated signal
555 generation, reception and control equipment that is designed to
556 provide community antenna television service which includes video
557 programming and which is provided in, under or over any public
558 street or highway, for hire, to multiple subscribers within a franchise,
559 but such term does not include (A) a facility that serves only to
560 retransmit the television signals of one or more television broadcast
561 stations; (B) a facility that serves only subscribers in one or more
562 multiple unit dwellings under common ownership, control or
563 management, unless such facility is located in, under or over a public
564 street or highway; (C) a facility of a common carrier which is subject, in
565 whole or in part, to the provisions of Subchapter II of Chapter 5 of the
566 Communications Act of 1934, 47 USC 201 et seq., as amended, except
567 that such facility shall be considered a community antenna television
568 system and the carrier shall be considered a public service company to

569 the extent such facility is used in the transmission of video
570 programming directly to subscribers; or (D) a facility of an electric
571 company which is used solely for operating its electric company
572 systems. "Community antenna television system" does not include a
573 facility used by a certified competitive video service provider to
574 provide video service;

575 (17) "Video programming" means programming provided by, or
576 generally considered comparable to programming provided by, a
577 television broadcast station;

578 (18) "Noncable communications service" means any
579 telecommunications service, as defined in section 16-247a, and which is
580 not included in the definition of "cable service" in the Communications
581 Act of 1934, 47 USC 522, as amended. Nothing in this definition shall
582 be construed to affect service which is both authorized and preempted
583 pursuant to federal law;

584 (19) "Public service motor vehicle" includes all motor vehicles used
585 for the transportation of passengers for hire;

586 (20) "Motor bus" includes any public service motor vehicle operated
587 in whole or in part upon any street or highway, by indiscriminately
588 receiving or discharging passengers, or operated on a regular route or
589 over any portion thereof, or operated between fixed termini, and any
590 public service motor vehicle operated over highways within this state
591 between points outside this state or between points within this state
592 and points outside this state;

593 (21) "Cogeneration technology" means the use for the generation of
594 electricity of exhaust steam, waste steam, heat or resultant energy from
595 an industrial, commercial or manufacturing plant or process, or the use
596 of exhaust steam, waste steam or heat from a thermal power plant for
597 an industrial, commercial or manufacturing plant or process, but shall
598 not include steam or heat developed solely for electrical power
599 generation;

600 (22) "Renewable fuel resources" means energy sources described in
601 subdivisions (26) and (27) of this subsection;

602 (23) "Telephone company" means a telecommunications company
603 that provides one or more noncompetitive or emerging competitive
604 services, as defined in section 16-247a;

605 (24) "Domestic telephone company" includes any telephone
606 company which has been chartered by or organized or constituted
607 within or under the laws of this state;

608 (25) "Telecommunications company" means a person that provides
609 telecommunications service, as defined in section 16-247a, within the
610 state, but shall not mean a person that provides only (A) private
611 telecommunications service, as defined in section 16-247a, (B) the
612 one-way transmission of video programming or other programming
613 services to subscribers, (C) subscriber interaction, if any, which is
614 required for the selection of such video programming or other
615 programming services, (D) the two-way transmission of educational or
616 instructional programming to a public or private elementary or
617 secondary school, or a public or independent institution of higher
618 education, as required by the department pursuant to a community
619 antenna television company franchise agreement, or provided
620 pursuant to a contract with such a school or institution which contract
621 has been filed with the department, or (E) a combination of the services
622 set forth in subparagraphs (B) to (D), inclusive, of this subdivision;

623 (26) "Class I renewable energy source" means (A) energy derived
624 from solar power, wind power, a fuel cell, methane gas from landfills,
625 ocean thermal power, wave or tidal power, low emission advanced
626 renewable energy conversion technologies, a [run-of-the-river]
627 hydropower facility [provided such facility has a generating capacity
628 of not more than five megawatts, does not cause an appreciable change
629 in the river flow, and began operation after July 1, 2003,] or a
630 sustainable biomass facility with an average emission rate of equal to

631 or less than .075 pounds of nitrogen oxides per million BTU of heat
632 input for the previous calendar quarter, except that energy derived
633 from a sustainable biomass facility with a capacity of less than five
634 hundred kilowatts that began construction before July 1, 2003, may be
635 considered a Class I renewable energy source, [or] (B) any electrical
636 generation, including distributed generation, generated from a Class I
637 renewable energy source;

638 (27) "Class II renewable energy source" means energy derived from
639 a trash-to-energy facility, a biomass facility that began operation before
640 July 1, 1998, provided the average emission rate for such facility is
641 equal to or less than .2 pounds of nitrogen oxides per million BTU of
642 heat input for the previous calendar quarter, or a run-of-the-river
643 hydropower facility provided such facility has a generating capacity of
644 not more than five megawatts, does not cause an appreciable change in
645 the riverflow, and began operation prior to July 1, 2003;

646 (28) "Electric distribution services" means the owning, leasing,
647 maintaining, operating, managing or controlling of poles, wires,
648 conduits or other fixtures along public highways or streets for the
649 distribution of electricity, or electric distribution-related services;

650 (29) "Electric distribution company" or "distribution company"
651 means any person providing electric transmission or distribution
652 services within the state, including an electric company, subject to
653 subparagraph (F) of this subdivision, but does not include: (A) A
654 private power producer, as defined in section 16-243b; (B) a municipal
655 electric utility established under chapter 101, other than a participating
656 municipal electric utility; (C) a municipal electric energy cooperative
657 established under chapter 101a; (D) an electric cooperative established
658 under chapter 597; (E) any other electric utility owned, leased,
659 maintained, operated, managed or controlled by any unit of local
660 government under any general statute or special act; (F) after an
661 electric company has been unbundled in accordance with the
662 provisions of section 16-244e, a generation entity or affiliate of the

663 former electric company; or (G) an electric supplier;

664 (30) "Electric supplier" means any person [, including an electric
665 aggregator] or participating municipal electric utility that is licensed
666 by the Department of [Public Utility Control] Energy and
667 Environmental Protection in accordance with section 16-245, [that] as
668 amended by this act, and provides electric generation services to end
669 use customers in the state using the transmission or distribution
670 facilities of an electric distribution company, regardless of whether or
671 not such person takes title to such generation services, but does not
672 include: (A) A municipal electric utility established under chapter 101,
673 other than a participating municipal electric utility; (B) a municipal
674 electric energy cooperative established under chapter 101a; (C) an
675 electric cooperative established under chapter 597; (D) any other
676 electric utility owned, leased, maintained, operated, managed or
677 controlled by any unit of local government under any general statute
678 or special act; or (E) an electric distribution company in its provision of
679 electric generation services in accordance with subsection (a) or, prior
680 to January 1, 2004, subsection (c) of section 16-244c, as amended by this
681 act;

682 (31) "Electric aggregator" means [(A) a person, municipality or
683 regional water authority that] any person, municipality or regional
684 water authority or the Connecticut Resources Recovery Authority, if
685 such entity gathers together electric customers for the purpose of
686 negotiating the purchase of electric generation services from an electric
687 supplier, [or (B) the Connecticut Resources Recovery Authority, if it
688 gathers together electric customers for the purpose of negotiating the
689 purchase of electric generation services from an electric supplier,]
690 provided such [person, municipality or authority] entity is not
691 engaged in the purchase or resale of electric generation services, and
692 provided further such customers contract for electric generation
693 services directly with an electric supplier, and may include an electric
694 cooperative established pursuant to chapter 597;

695 (32) "Electric generation services" means electric energy, electric
696 capacity or generation-related services;

697 (33) "Electric transmission services" means electric transmission or
698 transmission-related services;

699 (34) "Generation entity or affiliate" means a corporate affiliate or, as
700 provided in subdivision (3) of subsection (a) of section 16-244e, a
701 separate division of an electric company after unbundling has occurred
702 pursuant to section 16-244e, that provides electric generation services;

703 (35) "Participating municipal electric utility" means a municipal
704 electric utility established under chapter 101 or any other electric
705 utility owned, leased, maintained, operated, managed or controlled by
706 any unit of local government under any general statute or any public
707 or special act, that is authorized by the department in accordance with
708 section 16-245c to provide electric generation services to end use
709 customers outside its service area, as defined in section 16-245c;

710 (36) "Person" means an individual, business, firm, corporation,
711 association, joint stock association, trust, partnership or limited
712 liability company;

713 (37) "Regional independent system operator" means the "ISO - New
714 England, Inc.", or its successor organization as approved by the
715 Federal Energy Regulatory Commission;

716 (38) "Certified telecommunications provider" means a person
717 certified by the department to provide intrastate telecommunications
718 services, as defined in section 16-247a, pursuant to sections 16-247f to
719 16-247h, inclusive;

720 (39) "Gas registrant" means a person registered to sell natural gas
721 pursuant to section 16-258a;

722 (40) "Customer-side distributed resources" means (A) the generation
723 of electricity from a unit with a rating of not more than sixty-five

724 megawatts on the premises of a retail end user within the transmission
725 and distribution system including, but not limited to, fuel cells,
726 photovoltaic systems or small wind turbines, or (B) a reduction in the
727 demand for electricity on the premises of a retail end user in the
728 distribution system through methods of conservation and load
729 management, including, but not limited to, peak reduction systems
730 and demand response systems;

731 (41) "Federally mandated congestion charges" means any cost
732 approved by the Federal Energy Regulatory Commission as part of
733 New England Standard Market Design including, but not limited to,
734 locational marginal pricing, locational installed capacity payments, any
735 cost approved by the Department of [Public Utility Control] Energy
736 and Environmental Protection to reduce federally mandated
737 congestion charges in accordance with section 7-233y, this section,
738 sections 16-19ss, 16-32f, as amended by this act, 16-50i, 16-50k, 16-50x,
739 16-243i to 16-243q, inclusive, as amended by this act, 16-244c, 16-244e,
740 16-245m, as amended by this act, 16-245n, as amended by this act, and
741 16-245z, as amended by this act, and section 21 of public act 05-1 of the
742 June special session and reliability must run contracts;

743 (42) "Combined heat and power system" means a system that
744 produces, from a single source, both electric power and thermal energy
745 used in any process that results in an aggregate reduction in electricity
746 use;

747 (43) "Grid-side distributed resources" means the generation of
748 electricity from a unit with a rating of not more than sixty-five
749 megawatts that is connected to the transmission or distribution system,
750 which units may include, but are not limited to, units used primarily to
751 generate electricity to meet peak demand;

752 (44) "Class III source" means the electricity output from combined
753 heat and power systems with an operating efficiency level of no less
754 than fifty per cent, determined quarterly on a rolling annual average

755 basis, that are part of customer-side distributed resources developed at
756 commercial and industrial facilities in this state on or after January 1,
757 2006, a waste heat recovery system installed on or after April 1, 2007,
758 that produces electrical or thermal energy by capturing preexisting
759 waste heat or pressure from industrial or commercial processes, or the
760 electricity savings created in this state from conservation and load
761 management programs begun on or after January 1, 2006;

762 (45) "Sustainable biomass" means biomass that is cultivated and
763 harvested in a sustainable manner. "Sustainable biomass" does not
764 mean construction and demolition waste, as defined in section 22a-
765 208x, finished biomass products from sawmills, paper mills or stud
766 mills, organic refuse fuel derived separately from municipal solid
767 waste, or biomass from old growth timber stands, except where (A)
768 such biomass is used in a biomass gasification plant that received
769 funding prior to May 1, 2006, from the Renewable Energy Investment
770 Fund established pursuant to section 16-245n, as amended by this act,
771 or (B) the energy derived from such biomass is subject to a long-term
772 power purchase contract pursuant to subdivision (2) of subsection (j)
773 of section 16-244c entered into prior to May 1, 2006, (C) such biomass is
774 used in a renewable energy facility that is certified as a Class I
775 renewable energy source by the department until such time as the
776 department certifies that any biomass gasification plant, as defined in
777 subparagraph (A) of this subdivision, is operational and accepting
778 such biomass, in an amount not to exceed one hundred forty thousand
779 tons annually, is used in a renewable energy facility that was certified
780 as a Class I renewable energy source by the department prior to
781 December 31, 2007, and uses biomass, including construction and
782 demolition waste as defined in section 22a-208x, from a Connecticut-
783 sited transfer station and volume-reduction facility that generated
784 biomass during calendar year 2007 that was used during calendar year
785 2007 to generate Class I renewable energy certificates, or (D) in the
786 event there is no facility as described in subparagraph (A) or (C) of this
787 subdivision accepting such biomass, in an amount not to exceed one

788 hundred forty thousand tons annually, is used in one or more other
789 renewable energy facilities certified either as a Class I or Class II
790 renewable energy source by the department, provided such facilities
791 use biomass, including construction and demolition waste as defined
792 in said section 22a-208x, from a Connecticut-sited transfer station and
793 volume-reduction facility that generated biomass during calendar year
794 2007 that was used during calendar year 2007 to generate Class I
795 renewable energy certificates. Notwithstanding the provisions of
796 subparagraphs (C) and (D) of this subdivision, the amount of biomass
797 specified in said subparagraphs shall not apply to a biomass
798 gasification plant, as defined in subparagraph (A) of this subdivision;

799 (46) "Video service" means video programming services provided
800 through wireline facilities, a portion of which are located in the public
801 right-of-way, without regard to delivery technology, including Internet
802 protocol technology. "Video service" does not include any video
803 programming provided by a commercial mobile service provider, as
804 defined in 47 USC 332(d), any video programming provided as part of
805 community antenna television service in a franchise area as of October
806 1, 2007, any video programming provided as part of and via a service
807 that enables users to access content, information, electronic mail or
808 other services over the public Internet;

809 (47) "Certified competitive video service provider" means an entity
810 providing video service pursuant to a certificate of video franchise
811 authority issued by the department in accordance with section 16-331e.
812 "Certified competitive video service provider" does not mean an entity
813 issued a certificate of public convenience and necessity in accordance
814 with section 16-331 or the affiliates, successors and assigns of such
815 entity or an entity issued a certificate of cable franchise authority in
816 accordance with section 16-331p or the affiliates, successors and
817 assignees of such entity;

818 (48) "Certificate of video franchise authority" means an
819 authorization issued by the Department of [Public Utility Control]

820 Energy and Environmental Protection conferring the right to an entity
821 or person to own, lease, maintain, operate, manage or control facilities
822 in, under or over any public highway to offer video service to any
823 subscribers in the state;

824 (49) "Certificate of cable franchise authority" means an authorization
825 issued by the Department of [Public Utility Control] Energy and
826 Environmental Protection pursuant to section 16-331q conferring the
827 right to a community antenna television company to own, lease,
828 maintain, operate, manage or control a community antenna television
829 system in, under or over any public highway to (A) offer community
830 antenna television service in a community antenna television
831 company's designated franchise area, or (B) use the public rights-of-
832 way to offer video service in a designated franchise area. The
833 certificate of cable franchise authority shall be issued as an alternative
834 to a certificate of public convenience and necessity pursuant to section
835 16-331 and shall only be available to a community antenna television
836 company under the terms specified in sections 16-331q to 16-331aa,
837 inclusive;

838 (50) "Thermal energy transportation company" means any person
839 authorized under any provision of the general statutes or special act to
840 furnish heat or air conditioning or both, by means of steam, heated or
841 chilled water or other medium, to lay and maintain mains, pipes or
842 other conduits, and to erect such other fixtures necessary or convenient
843 in and on the streets, highways and public grounds of any
844 municipality to carry steam, heated or chilled water or other medium
845 from such plant to the location to be served and to return the same;
846 [and]

847 (51) "The Connecticut Television Network" means the General
848 Assembly's state-wide twenty-four-hour state public affairs
849 programming service, separate and distinct from community access
850 channels; and

851 (52) "Commissioner of Energy and Environmental Protection"
852 means the Commissioner of Energy and Environmental Protection
853 appointed pursuant to title 4.

854 (b) Notwithstanding any provision of the general statutes, the terms
855 "utility", "public utility" and "public service company" shall be deemed
856 to include a community antenna television company and a holder of a
857 certificate of cable franchise authority, except (1) as otherwise provided
858 in sections 16-8, 16-27, 16-28 and 16-43, (2) that no provision of the
859 general statutes, including but not limited to, the provisions of sections
860 16-6b and 16-19, shall subject a community antenna television
861 company to regulation as a common carrier or utility by reason of
862 providing community antenna television service, other than noncable
863 communications service, as provided in Subchapter V-A of Chapter 5
864 of the Communications Act of 1934, 47 USC 521 et seq., as amended,
865 and (3) that no provision of the general statutes, including but not
866 limited to, sections 16-6b and 16-19, shall apply to community antenna
867 television companies to the extent any such provision is preempted
868 pursuant to any other provision of the Communications Act of 1934, 47
869 USC 151 et seq., as amended, any other federal act or any regulation
870 adopted thereunder.

871 Sec. 9. Section 16-2 of the general statutes is repealed and the
872 following is substituted in lieu thereof (*Effective July 1, 2011*):

873 (a) There shall continue to be a Public Utilities Control Authority
874 within the Department of Energy and Environmental Protection,
875 which shall consist of five electors of this state, appointed by the
876 Governor with the advice and consent of both houses of the General
877 Assembly. Not more than three members of said authority in office at
878 any one time shall be members of any one political party. On or before
879 July 1, 1983, and quadrennially thereafter, the Governor shall appoint
880 three members to the authority and on or before July 1, 1985, and
881 quadrennially thereafter, the Governor shall appoint two members. All
882 such members shall serve for a term of four years. The procedure

883 prescribed by section 4-7 shall apply to such appointments, except that
884 the Governor shall submit each nomination on or before May first, and
885 both houses shall confirm or reject it before adjournment sine die. The
886 commissioners shall be sworn to the faithful performance of their
887 duties.

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

891 (c) Any matter coming before the authority may be assigned by the
892 chairperson to a panel of three commissioners, not more than two of
893 whom shall be members of the same political party. Except as
894 otherwise provided by statute or regulation, the panel shall determine
895 whether a public hearing shall be held on the matter, and may
896 designate one or two of its members to conduct such hearing or
897 appoint an examiner to ascertain the facts and report thereon to the
898 panel. The decision of the panel, if unanimous, shall be the decision of
899 the authority. If the decision of the panel is not unanimous, the matter
900 shall be referred to the entire authority for decision.

901 (d) The commissioners of the authority shall serve full time and
902 shall make full public disclosure of their assets, liabilities and income
903 at the time of their appointment, and thereafter each member of the
904 authority shall make such disclosure on or before July thirtieth of each
905 year of such member's term, and shall file such disclosure with the
906 office of the Secretary of the State. Each commissioner shall receive
907 annually a salary equal to that established for management pay plan
908 salary group seventy-five by the Commissioner of Administrative
909 Services, except that the chairperson shall receive annually a salary
910 equal to that established for management pay plan salary group
911 seventy-seven.

912 (e) To insure the highest standard of public utility regulation, on
913 and after October 1, 2007, any newly appointed commissioner of the

914 authority shall have education or training and three or more years of
915 experience in one or more of the following fields: Economics,
916 engineering, law, accounting, finance, utility regulation, public or
917 government administration, consumer advocacy, business
918 management, and environmental management. On and after July 1,
919 1997, at least three of these fields shall be represented on the authority
920 by individual commissioners at all times. Any time a commissioner is
921 newly appointed, at least one of the commissioners shall have
922 experience in utility customer advocacy.

923 [(f) The chairperson of the authority, with the consent of two or
924 more other members of the authority, shall appoint an executive
925 director, who shall be the chief administrative officer of the
926 Department of Public Utility Control. The executive director shall be
927 supervised by the chairperson of the authority, serve for a term of four
928 years and annually receive a salary equal to that established for
929 management pay plan salary group seventy-two by the Commissioner
930 of Administrative Services. The executive director (1) shall conduct
931 comprehensive planning with respect to the functions of the
932 department; (2) shall coordinate the activities of the department; (3)
933 shall cause the administrative organization of the department to be
934 examined with a view to promoting economy and efficiency; (4) shall,
935 in concurrence with the chairperson of the authority, organize the
936 department into such divisions, bureaus or other units as he deems
937 necessary for the efficient conduct of the business of the department
938 and may from time to time abolish, transfer or consolidate within the
939 department, any division, bureau or other units as may be necessary
940 for the efficient conduct of the business of the department, provided
941 such organization shall include any division, bureau or other unit
942 which is specifically required by the general statutes; (5) shall, for any
943 proceeding on a proposed rate amendment in which staff of the
944 department are to be made a party pursuant to section 16-19j,
945 determine which staff shall appear and participate in the proceedings
946 and which shall serve the members of the authority; (6) may enter into

947 such contractual agreements, in accordance with established
948 procedures, as may be necessary for the discharge of his duties; and (7)
949 may, subject to the provisions of section 4-32, and unless otherwise
950 provided by law, receive any money, revenue or services from the
951 federal government, corporations, associations or individuals,
952 including payments from the sale of printed matter or any other
953 material or services. The executive director shall require the staff of the
954 department to have expertise in public utility engineering and
955 accounting, finance, economics, computers and rate design. Subject to
956 the provisions of chapter 67 and within available funds in any fiscal
957 year, the executive director may appoint a secretary, and may employ
958 such accountants, clerical assistants, engineers, inspectors, experts,
959 consultants and agents as the department may require.]

960 [(g)] (f) No member of the authority or employee of the department
961 shall, while serving as such, have any interest, financial or otherwise,
962 direct or indirect, or engage in any business, employment, transaction
963 or professional activity, or incur any obligation of any nature, which is
964 in substantial conflict with the proper discharge of his duties or
965 employment in the public interest and of his responsibilities as
966 prescribed in the laws of this state, as defined in section 1-85; provided,
967 no such substantial conflict shall be deemed to exist solely by virtue of
968 the fact that a member of the authority or employee of the department,
969 or any business in which such a person has an interest, receives utility
970 service from one or more Connecticut utilities under the normal rates
971 and conditions of service.

972 [(h)] (g) No member of the authority or employee of the department
973 shall accept other employment which will either impair his
974 independence of judgment as to his official duties or employment or
975 require him, or induce him, to disclose confidential information
976 acquired by him in the course of and by reason of his official duties.

977 [(i)] (h) No member of the authority or employee of the department
978 shall wilfully and knowingly disclose, for pecuniary gain, to any other

979 person, confidential information acquired by him in the course of and
980 by reason of his official duties or employment or use any such
981 information for the purpose of pecuniary gain.

982 [(j)] (i) No member of the authority or employee of the department
983 shall agree to accept, or be in partnership or association with any
984 person, or a member of a professional corporation or in membership
985 with any union or professional association which partnership,
986 association, professional corporation, union or professional association
987 agrees to accept any employment, fee or other thing of value, or
988 portion thereof, in consideration of his appearing, agreeing to appear,
989 or taking any other action on behalf of another person before the
990 authority, the Connecticut Siting Council, the Office of Policy and
991 Management or the Commissioner of Environmental Protection.

992 [(k)] (j) No commissioner of the authority shall, for a period of one
993 year following the termination of his or her service as a commissioner,
994 accept employment: (1) By a public service company or by any person,
995 firm or corporation engaged in lobbying activities with regard to
996 governmental regulation of public service companies; (2) by a certified
997 telecommunications provider or by any person, firm or corporation
998 engaged in lobbying activities with regard to governmental regulation
999 of persons, firms or corporations so certified; or (3) by an electric
1000 supplier or by any person, firm or corporation engaged in lobbying
1001 activities with regard to governmental regulation of electric suppliers.
1002 No such commissioner who is also an attorney shall in any capacity,
1003 appear or participate in any matter, or accept any compensation
1004 regarding a matter, before the authority, for a period of one year
1005 following the termination of his or her service as a commissioner.

1006 Sec. 10. Section 16-2c of the general statutes is repealed and the
1007 following is substituted in lieu thereof (*Effective July 1, 2011*):

1008 There is established a Division of Adjudication within the
1009 Department of [Public Utility Control] Energy and Environmental

1010 Protection. The staff of the division shall include but not be limited to,
1011 hearing examiners appointed pursuant to subsection (c) of section 16-2.
1012 The responsibilities of the division shall include, but not be limited to,
1013 hearing matters assigned under said subsection and advising the
1014 [chairperson of the Public Utilities Control Authority] Commissioner
1015 of Energy and Environmental Protection concerning legal issues.

1016 Sec. 11. Subsections (a) and (b) of section 16-8 of the general statutes
1017 are repealed and the following is substituted in lieu thereof (*Effective*
1018 *July 1, 2011*):

1019 (a) The Department of [Public Utility Control] Energy and
1020 Environmental Protection may, in its discretion, delegate its powers, in
1021 specific cases, to one or more of its commissioners or to a hearing
1022 examiner to ascertain the facts and report thereon to the department.
1023 The department, or any commissioner thereof, in the performance of
1024 its duties or in connection with any hearing, or at the request of any
1025 person, corporation, company, town, borough or association, may
1026 summon and examine, under oath, such witnesses, and may direct the
1027 production of, and examine or cause to be produced and examined,
1028 such books, records, vouchers, memoranda, documents, letters,
1029 contracts or other papers in relation to the affairs of any public service
1030 company as it may find advisable, and shall have the same powers in
1031 reference thereto as are vested in magistrates taking depositions. If any
1032 witness objects to testifying or to producing any book or paper on the
1033 ground that such testimony, book or paper may tend to incriminate
1034 him, and the department directs such witness to testify or to produce
1035 such book or paper, and he complies, or if he is compelled so to do by
1036 order of court, he shall not be prosecuted for any matter concerning
1037 which he has so testified. The fees of witnesses summoned by the
1038 department to appear before it under the provisions of this section,
1039 and the fees for summoning witnesses shall be the same as in the
1040 Superior Court. All such fees, together with any other expenses
1041 authorized by statute, the method of payment of which is not
1042 otherwise provided, shall, when taxed by the department, be paid by

1043 the state, through the business office of the department, in the same
1044 manner as court expenses. The department may designate in specific
1045 cases a hearing examiner who may be a member of its technical staff or
1046 a member of the Connecticut Bar engaged for that purpose under a
1047 contract approved by the Secretary of the Office of Policy and
1048 Management to hold a hearing and make report thereon to the
1049 department. A hearing examiner so designated shall have the same
1050 powers as the department, or any commissioner thereof, to conduct a
1051 hearing, except that only a commissioner of the department shall have
1052 the power to grant immunity from prosecution to any witness who
1053 objects to testifying or to producing any book or paper on the ground
1054 that such testimony, book or paper may tend to incriminate him.

1055 (b) (1) [In the performance of its duties the Department of Public
1056 Utility Control may establish management audit teams as a regular
1057 and continuing component of its staff. The management audit teams
1058 shall be composed of personnel with a professional background in
1059 accounting, engineering or any other training as the department may
1060 deem necessary to assure a competent and thorough review and
1061 audit.] The department may, within available appropriations, employ
1062 professional personnel to perform management audits. The
1063 department shall promptly establish such procedures as it deems
1064 necessary or desirable to provide for management audits to be
1065 performed on a regular or irregular schedule on all or any portion of
1066 the operating procedures and any other internal workings of any
1067 public service company, including the relationship between any public
1068 service company and a related holding company or subsidiary,
1069 consistent with the provisions of section 16-8c, provided no such audit
1070 shall be performed on a community antenna television company,
1071 except with regard to any noncable communications services which
1072 the company may provide, or when (A) such an audit is necessary for
1073 the department to perform its regulatory functions under the
1074 Communications Act of 1934, 47 USC 151, et seq., as amended from
1075 time to time, other federal law or state law, (B) the cost of such an audit

1076 is warranted by a reasonably foreseeable financial, safety or service
1077 benefit to subscribers of the company which is the subject of such an
1078 audit, and (C) such an audit is restricted to examination of the
1079 operating procedures that affect operations within the state.

1080 (2) In any case where the department determines that an audit is
1081 necessary or desirable, it may (A) order the audit to be performed by
1082 one of its management audit teams, (B) require the affected company
1083 to perform the audit utilizing the company's own internal
1084 management audit staff as supervised by designated members of the
1085 department's staff or (C) require that the audit be performed under the
1086 supervision of designated members of the department's staff by an
1087 independent management consulting firm selected by the department,
1088 in consultation with the affected company. If the affected company has
1089 more than seventy-five thousand customers, such independent
1090 management consulting firm shall be of nationally-recognized stature.
1091 All reasonable and proper expenses of the audits, including, but not
1092 limited to, the costs associated with the audit firm's testimony at a
1093 public hearing or other proceeding, shall be borne by the affected
1094 companies and shall be paid by such companies at such times and in
1095 such manner as the department directs.

1096 (3) For purposes of this section, a complete audit shall consist of (A)
1097 a diagnostic review of all functions of the audited company, which
1098 shall include, but not be limited to, documentation of the operations of
1099 the company, assessment of the company's system of internal controls,
1100 and identification of any areas of the company which may require
1101 subsequent audits, and (B) the performance of subsequent focused
1102 audits identified in the diagnostic review and determined necessary by
1103 the department. All audits performed pursuant to this section shall be
1104 performed in accordance with generally accepted management audit
1105 standards. The department shall adopt regulations in accordance with
1106 the provisions of chapter 54 setting forth such generally accepted
1107 management audit standards. Each audit of a community antenna
1108 television company shall be consistent with the provisions of the

1109 Communications Act of 1934, 47 USC 151, et seq., as amended from
1110 time to time, and of any other applicable federal law. The department
1111 shall certify whether a portion of an audit conforms to the provisions
1112 of this section and constitutes a portion of a complete audit.

1113 (4) A complete audit of each portion of each gas, electric or electric
1114 distribution company having more than seventy-five thousand
1115 customers shall begin no less frequently than every six years, so that a
1116 complete audit of such a company's operations shall be performed
1117 every six years. Such an audit of each such company having more than
1118 seventy-five thousand customers shall be updated as required by the
1119 department.

1120 (5) The results of an audit performed pursuant to this section shall
1121 be filed with the department and shall be open to public inspection.
1122 Upon completion and review of the audit, if the person or firm
1123 performing or supervising the audit determines that any of the
1124 operating procedures or any other internal workings of the affected
1125 public service company are inefficient, improvident, unreasonable,
1126 negligent or in abuse of discretion, the department may, after notice
1127 and opportunity for a hearing, order the affected public service
1128 company to adopt such new or altered practices and procedures as the
1129 department shall find necessary to promote efficient and adequate
1130 service to meet the public convenience and necessity. The department
1131 shall annually submit a report of audits performed pursuant to this
1132 section to the joint standing committee of the General Assembly
1133 having cognizance of matters relating to public utilities which report
1134 shall include the status of audits begun but not yet completed and a
1135 summary of the results of audits completed.

1136 (6) All reasonable and proper costs and expenses, as determined by
1137 the department, of complying with any order of the department
1138 pursuant to this subsection shall be recognized by the department for
1139 all purposes as proper business expenses of the affected company.

1140 (7) After notice and hearing, the department may modify the scope
1141 and schedule of a management audit of a telephone company which is
1142 subject to an alternative form of regulation so that such audit is
1143 consistent with that alternative form of regulation.

1144 Sec. 12. Section 16-50j of the general statutes is repealed and the
1145 following is substituted in lieu thereof (*Effective July 1, 2011*):

1146 (a) There is established a "Connecticut Siting Council", hereinafter
1147 referred to as the "council", which shall be within the Department of
1148 [Public Utility Control] Energy and Environmental Protection.

1149 (b) Except for proceedings under chapter 445, this subsection and
1150 subsection (c) of this section, the council shall consist of: (1) The
1151 Commissioner of Energy and Environmental Protection, or his
1152 designee; (2) [the chairman, or his designee, of the Public Utilities
1153 Control Authority; (3)] one designee of the speaker of the House and
1154 one designee of the president pro tempore of the Senate; and [(4)] (3)
1155 five members of the public, to be appointed by the Governor, at least
1156 two of whom shall be experienced in the field of ecology, and not more
1157 than one of whom shall have affiliation, past or present, with any
1158 utility or governmental utility regulatory agency, or with any person
1159 owning, operating, controlling, or presently contracting with respect to
1160 a facility, a hazardous waste facility, as defined in section 22a-115, or
1161 an ash residue disposal area.

1162 (c) For proceedings under chapter 445, subsection (b) of this section
1163 and this subsection, the council shall consist of (1) the Commissioners
1164 of Public Health and Public Safety or their designated representatives;
1165 (2) the designees of the speaker of the House of Representatives and
1166 the president pro tempore of the Senate as provided in subsection (b)
1167 of this section; (3) the five members of the public as provided in
1168 subsection (b) of this section; and (4) four ad hoc members, three of
1169 whom shall be electors from the municipality in which the proposed
1170 facility is to be located and one of whom shall be an elector from a

1171 neighboring municipality likely to be most affected by the proposed
1172 facility. The municipality most affected by the proposed facility shall
1173 be determined by the permanent members of the council. If any one of
1174 the five members of the public or of the designees of the speaker of the
1175 House of Representatives or the president pro tempore of the Senate
1176 resides (A) in the municipality in which a hazardous waste facility is
1177 proposed to be located for a proceeding concerning a hazardous waste
1178 facility or in which a low-level radioactive waste facility is proposed to
1179 be located for a proceeding concerning a low-level radioactive waste
1180 facility, or (B) in the neighboring municipality likely to be most
1181 affected by the proposed facility, the appointing authority shall
1182 appoint a substitute member for the proceedings on such proposal. If
1183 any appointee is unable to perform his duties on the council due to
1184 illness, or has a substantial financial or employment interest which is
1185 in conflict with the proper discharge of his duties under this chapter,
1186 the appointing authority shall appoint a substitute member for
1187 proceedings on such proposal. An appointee shall report any
1188 substantial financial or employment interest which might conflict with
1189 the proper discharge of his duties under this chapter to the appointing
1190 authority who shall determine if such conflict exists. If any state
1191 agency is the applicant, an appointee shall not be deemed to have a
1192 substantial employment conflict of interest because of employment
1193 with the state unless such appointee is directly employed by the state
1194 agency making the application. Ad hoc members shall be appointed by
1195 the chief elected official of the municipality they represent and shall
1196 continue their membership until the council issues a letter of
1197 completion of the development and management plan to the applicant.

1198 (d) For proceedings under sections 22a-285d to 22a-285h, inclusive,
1199 the council shall consist of (1) the Commissioners of Public Health and
1200 Public Safety or their designated representatives; (2) the designees of
1201 the speaker of the House of Representatives and the president pro
1202 tempore of the Senate as provided in subsection (b) of this section, and
1203 (3) five members of the public as provided in subsection (b) of this

1204 section. If any one of the five members of the public or of the designees
1205 of the speaker of the House of Representatives or the president pro
1206 tempore of the Senate resides in the municipality in which an ash
1207 residue disposal area is proposed to be located the appointing
1208 authority shall appoint a substitute member for the proceedings on
1209 such proposal. If any appointee is unable to perform his duties on the
1210 council due to illness, or has a substantial financial or employment
1211 interest which is in conflict with the proper discharge of his duties
1212 under sections 22a-285d to 22a-285h, inclusive, the appointing
1213 authority shall appoint a substitute member for proceedings on such
1214 proposal. An appointee shall report any substantial financial or
1215 employment interest which might conflict with the proper discharge of
1216 his duties under said sections to the appointing authority who shall
1217 determine if such conflict exists. If any state agency is the applicant, an
1218 appointee shall not be deemed to have a substantial employment
1219 conflict of interest because of employment with the state unless such
1220 appointee is directly employed by the state agency making the
1221 application.

1222 (e) The chairman of the council shall be appointed by the Governor
1223 from among the five public members appointed by him, with the
1224 advice and consent of the House or Senate, and shall serve as chairman
1225 at the pleasure of the Governor.

1226 (f) The public members of the council, including the chairman, the
1227 members appointed by the speaker of the House and president pro
1228 tempore of the Senate and the four ad hoc members specified in
1229 subsection (c) of this section, shall be compensated for their attendance
1230 at public hearings, executive sessions, or other council business as may
1231 require their attendance at the rate of two hundred dollars, provided in
1232 no case shall the daily compensation exceed two hundred dollars.

1233 (g) The council shall, in addition to its other duties prescribed in this
1234 chapter, adopt, amend, or rescind suitable regulations to carry out the
1235 provisions of this chapter and the policies and practices of the council

1236 in connection therewith, and appoint and prescribe the duties of such
1237 staff as may be necessary to carry out the provisions of this chapter.
1238 The chairman of the council, with the consent of five or more other
1239 members of the council, may appoint an executive director, who shall
1240 be the chief administrative officer of the Connecticut Siting Council.
1241 The executive director shall be exempt from classified service.

1242 (h) Prior to commencing any hearing pursuant to section 16-50m,
1243 the council shall consult with and solicit written comments from the
1244 Department of Energy and Environmental Protection, the Department
1245 of Public Health, the Council on Environmental Quality, the
1246 Department of Agriculture, [the Department of Public Utility Control,]
1247 the Office of Policy and Management, the Department of Economic
1248 and Community Development and the Department of Transportation.
1249 In addition, the Department of Energy and Environmental Protection
1250 shall have the continuing responsibility to investigate and report to the
1251 council on all applications which prior to October 1, 1973, were within
1252 the jurisdiction of said Department of Environmental Protection with
1253 respect to the granting of a permit. Copies of such comments shall be
1254 made available to all parties prior to the commencement of the
1255 hearing. Subsequent to the commencement of the hearing, said
1256 departments and council may file additional written comments with
1257 the council within such period of time as the council designates. All
1258 such written comments shall be made part of the record provided by
1259 section 16-50o. Said departments and council shall not enter any
1260 contract or agreement with any party to the proceedings or hearings
1261 described in this section or section 16-50p, that requires said
1262 departments or council to withhold or retract comments, refrain from
1263 participating in or withdraw from said proceedings or hearings.

1264 Sec. 13. Section 16a-3 of the general statutes is repealed and the
1265 following is substituted in lieu thereof (*Effective July 1, 2011*):

1266 (a) There is established a Connecticut Energy Advisory Board
1267 consisting of [fifteen] nine members, including [the Commissioner of

1268 Environmental Protection, the chairperson of the Public Utilities
1269 Control Authority, the Commissioner of Transportation,] the
1270 Consumer Counsel, [the Commissioner of Agriculture] the Attorney
1271 General, or the Attorney General's designee, and [the Secretary of the
1272 Office of Policy and Management, or their respective designees] a
1273 representative of the Connecticut Municipal Electric Energy
1274 Cooperative. The [Governor] president pro tempore of the Senate shall
1275 appoint a representative of an environmental organization
1276 knowledgeable in energy efficiency programs, a representative of a
1277 consumer advocacy organization and a representative of a state-wide
1278 business association. [The president pro tempore of the Senate shall
1279 appoint a representative of a chamber of commerce, a representative of
1280 a state-wide manufacturing association and a member of the public
1281 considered to be an expert in electricity, generation, procurement or
1282 conservation programs.] The speaker of the House of Representatives
1283 shall appoint a representative of low-income ratepayers, [a
1284 representative of state residents, in general, with expertise in energy
1285 issues] a representative of a state-wide manufacturing association and
1286 a member of the public considered to be an expert in electricity,
1287 generation, procurement or conservation programs. All appointed
1288 members shall serve in accordance with section 4-1a. No appointee
1289 may be employed by, or a consultant of, a public service company, as
1290 defined in section 16-1, or an electric supplier, as defined in section 16-
1291 1, or an affiliate or subsidiary of such company or supplier.

1292 (b) The board shall (1) represent the state in regional energy system
1293 planning processes conducted by the regional independent system
1294 operator, as defined in section 16-1; (2) encourage representatives from
1295 the municipalities that are affected by a proposed project of regional
1296 significance to participate in regional energy system planning
1297 processes conducted by the regional independent system operator; (3)
1298 participate in a forecast proceeding conducted pursuant to subsection
1299 (a) of section 16-50r; (4) participate in a life-cycle proceeding conducted
1300 pursuant to subsection (b) of section 16-50r; and (5) review the

1301 procurement plan [submitted by the electric distribution companies]
1302 developed by the Department of Energy and Environmental
1303 Protection's Bureau of Energy pursuant to section 16a-3a, as amended
1304 by this act, and submit recommendations on the execution of such plan
1305 to the joint standing committee of the General Assembly having
1306 cognizance of matters relating to energy. The board shall conduct
1307 programmatic reviews and receive complaints from the public and
1308 businesses pertaining to matters within the jurisdiction of the Bureau
1309 of Energy.

1310 (c) The board shall elect a chairman and a vice-chairman from
1311 among its members and shall adopt such rules of procedure as are
1312 necessary to carry out its functions.

1313 (d) The board shall convene its first meeting not later than
1314 September 1, [2003] 2011. A quorum of the board shall consist of two-
1315 thirds of the members currently serving on the board.

1316 (e) The board shall employ such staff as is required for the proper
1317 discharge of its duties. The board may also retain any third-party
1318 consultants it deems necessary to accomplish the goals set forth in
1319 subsection (b) of this section. The board shall annually submit to the
1320 Department of [Public Utility Control] Energy and Environmental
1321 Protection a proposal regarding the level of funding required for the
1322 discharge of its duties, which proposal shall be approved by the
1323 department either as submitted or as modified by the department.

1324 (f) The Connecticut Energy Advisory Board shall report in
1325 accordance with the provisions of section 11-4a to the joint standing
1326 committee of the General Assembly having cognizance of matters
1327 relating to energy on such board's activities upon request of such
1328 committee.

1329 [(f)] (g) The Connecticut Energy Advisory Board shall be within the
1330 [Office of Policy and Management] Department of Energy and
1331 Environmental Protection for administrative purposes only.

1332 Sec. 14. Section 16a-3c of the general statutes is repealed and the
1333 following is substituted in lieu thereof (*Effective July 1, 2011*):

1334 (a) On and after July 1, [2009] 2011, if the Department of [Public
1335 Utility Control] Energy and Environmental Protection does not receive
1336 and approve proposals pursuant to the requests for proposals
1337 processes, pursuant to section 16a-3b, sufficient to reach the goal set by
1338 the plan approved pursuant to section 16a-3a, as amended by this act,
1339 the department may order an electric distribution company to submit
1340 for the department's review in a contested case proceeding, in
1341 accordance with chapter 54, a proposal to build and operate an electric
1342 generation facility in the state. An electric distribution company shall
1343 be eligible to recover its prudently incurred costs consistent with the
1344 principles set forth in section 16-19e for any generation project
1345 approved pursuant to this section.

1346 (b) On or before January 1, 2008, the department shall initiate a
1347 contested case proceeding to determine the costs and benefits of the
1348 state serving as the builder of last resort for the shortfall of megawatts
1349 from said request for proposal process.

1350 Sec. 15. Section 16a-4 of the general statutes is repealed and the
1351 following is substituted in lieu thereof (*Effective July 1, 2011*):

1352 The Secretary of the Office of Policy and Management shall employ,
1353 subject to the provisions of chapter 67, such staff as is required for the
1354 proper discharge of duties of the office as set forth in this chapter and
1355 sections 4-5, 4-124l, [4-124p,] 8-3b, 8-32a, 8-33a, 8-35a, 8-189, subsection
1356 (b) of section 8-206, sections 16a-20, 16a-102, 22a-352 and 22a-353. The
1357 secretary may adopt, pursuant to chapter 54, such regulations as are
1358 necessary to carry out the purposes of this chapter.

1359 Sec. 16. Subsection (b) of section 16a-7b of the general statutes is
1360 repealed and the following is substituted in lieu thereof (*Effective July*
1361 *1, 2011*):

1362 (b) No municipality other than a municipality operating a plant
1363 pursuant to chapter 101 or any special act and acting for purposes
1364 thereto may take an action to condemn, in whole or in part, or restrict
1365 the operation of any existing and currently operating energy facility, if
1366 such facility is first determined by the Department of [Public Utility
1367 Control] Energy and Environmental Protection, following a contested
1368 case proceeding, held in accordance with the provisions of chapter 54,
1369 to comprise a critical, unique and unmovable component of the state's
1370 energy infrastructure, unless the municipality first receives written
1371 approval from the department, [the Office of Policy and Management,]
1372 the Connecticut Energy Advisory Board and the Connecticut Siting
1373 Council that such taking would not have a detrimental impact on the
1374 state's or region's ability to provide a particular energy resource to its
1375 citizens.

1376 Sec. 17. Subsection (a) of section 16a-7c of the general statutes is
1377 repealed and the following is substituted in lieu thereof (*Effective*
1378 *July 1, 2011*):

1379 (a) Not later than fifteen days after receiving information pursuant
1380 to subsection (e) of section 16-50l, the Connecticut Energy Advisory
1381 Board shall publish such information in one or more newspapers or
1382 periodicals, as selected by the [board] Department of Energy and
1383 Environmental Protection.

1384 Sec. 18. Section 16a-22c of the general statutes is repealed and the
1385 following is substituted in lieu thereof (*Effective July 1, 2011*):

1386 For the purposes of sections 16a-15 and 16a-22c to 16a-22g,
1387 inclusive:

1388 (1) "Company" means any corporation, partnership, proprietorship
1389 or any other business, firm or commercial entity;

1390 (2) "Petroleum products" means middle distillate, residual fuel oil,
1391 liquefied petroleum gas, motor gasoline, aviation gasoline or aviation

1392 turbine fuel, as defined in regulations which the [secretary]
1393 commissioner shall adopt in accordance with the provisions of chapter
1394 54. Notwithstanding any provision of this subdivision to the contrary,
1395 "petroleum products" shall not include gasoline other than aviation
1396 gasoline, which is sold at retail in accordance with the provisions of
1397 chapter 250;

1398 (3) ["Secretary" means the Secretary of the Office of Policy and
1399 Management, or his designee.] "Commissioner" means the
1400 Commissioner of Energy and Environmental Protection, or the
1401 commissioner's designee.

1402 Sec. 19. Subsection (f) of section 16a-23t of the general statutes is
1403 repealed and the following is substituted in lieu thereof (*Effective July*
1404 *1, 2011*):

1405 (f) The [chairperson of the Public Utilities Control Authority, or the
1406 chairperson's designee, the] Commissioner of Energy and
1407 Environmental Protection, or the commissioner's designee,
1408 Commissioner of Social Services, or the commissioner's designee, the
1409 chairperson of the Connecticut Energy Advisory Board, and the
1410 Secretary of the Office of Policy and Management, or the secretary's
1411 designee, shall constitute a Home Heating Oil Planning Council to
1412 address issues involving the supply, delivery and costs of home
1413 heating oil and state policies regarding the future of the state's home
1414 heating oil supply. The Secretary of the Office of Policy and
1415 Management shall convene the first meeting of the council.

1416 Sec. 20. Section 16a-37w of the general statutes is repealed and the
1417 following is substituted in lieu thereof (*Effective July 1, 2011*):

1418 The [Secretary of the Office of Policy and Management]
1419 Commissioner of Energy and Environmental Protection shall, within
1420 available appropriations and in consultation with each state
1421 department, each constituent unit of the state system of higher
1422 education, as defined in section 10-1, the Judicial Branch and the Joint

1423 Committee on Legislative Management, establish a program designed
1424 to encourage the use of biodiesel blended heating fuel mixed from not
1425 more than ninety per cent ultra low sulfur number 2 heating oil and
1426 not less than ten per cent of biodiesel in state buildings and facilities
1427 under the custody and control of such department, unit, branch or
1428 committee. On or before January 1, [2008] 2012, the [secretary]
1429 commissioner shall prepare a plan for implementation of such
1430 program which shall include, but not be limited to, (1) identification of
1431 state buildings and facilities suitable for biodiesel blended heating fuel,
1432 (2) evaluation of energy efficiency and reliability of biodiesel blended
1433 heating fuel in such buildings and facilities, and (3) the availability and
1434 feasibility of exclusively using such fuels or fuel products, including
1435 agricultural products or waste yellow grease, produced in Connecticut.

1436 Sec. 21. Subsection (b) of section 16a-38k of the general statutes is
1437 repealed and the following is substituted in lieu thereof (*Effective July*
1438 *1, 2011*):

1439 (b) Not later than January 1, 2007, the [Secretary of the Office of
1440 Policy and Management] Commissioner of Energy and Environmental
1441 Protection, in consultation with the Commissioner of Public Works [,
1442 the Commissioner of Environmental Protection] and the
1443 Commissioner of Public Safety, shall adopt regulations, in accordance
1444 with the provisions of chapter 54, to adopt state building construction
1445 standards that are consistent with or exceed the silver building rating
1446 of the Leadership in Energy and Environmental Design's rating system
1447 for new commercial construction and major renovation projects, as
1448 established by the United States Green Building Council, including
1449 energy standards that exceed those set forth in the 2004 edition of the
1450 American Society of Heating, Ventilating and Air Conditioning
1451 Engineers (ASHRAE) Standard 90.1 by no less than twenty per cent, or
1452 an equivalent standard, including, but not limited to, a two-globe
1453 rating in the Green Globes USA design program, and thereafter update
1454 such regulations as the [secretary] commissioner deems necessary.

1455 Sec. 22. Section 16a-39 of the general statutes is repealed and the
1456 following is substituted in lieu thereof (*Effective July 1, 2011*):

1457 (a) As used in this section:

1458 (1) "Public building" means any building or portion thereof, other
1459 than an "exempted building", which is open to the public during
1460 normal business hours, including (A) any building which provides
1461 facilities or shelter for public assembly, (B) any inn, hotel, motel, sports
1462 arena, supermarket, transportation terminal, retail store, restaurant, or
1463 other commercial establishment which provides services or retails
1464 merchandise, and (C) any building owned or leased by the state of
1465 Connecticut or any political subdivision thereof, or by another state or
1466 political subdivision thereof and located in Connecticut, including
1467 libraries, museums, schools, hospitals, auditoriums, sports arenas and
1468 university buildings;

1469 (2) "Exempted building" means (A) any building whose peak design
1470 rate of energy usage for all purposes is less than one watt per square
1471 foot of floor area for all purposes, (B) any building with neither a
1472 heating nor cooling system, and (C) any building owned or leased in
1473 whole or in part by the United States;

1474 (3) "Commissioner" means the Commissioner of Public Works or his
1475 designee; and

1476 [(4) "Secretary" means the Secretary of the Office of Policy and
1477 Management or his designee; and]

1478 [(5)] (4) "Eligible building" means a building owned by a
1479 municipality, located within the state and not used for public
1480 education purposes.

1481 (b) The commissioner, after consultation with the [secretary]
1482 Commissioner of Energy and Environmental Protection and with such
1483 advisory board as [said secretary] the Commissioner of Energy and

1484 Environmental Protection may appoint, shall adopt, in accordance
1485 with chapter 54, regulations establishing lighting standards for all
1486 public buildings. The members of any such advisory board shall
1487 receive neither compensation nor expenses for the performance of their
1488 duties.

1489 (c) The lighting standards adopted pursuant to subsection (b) of this
1490 section shall provide for the maximum feasible energy efficiency of
1491 lighting equipment commensurate with other factors relevant to
1492 lighting levels and equipment, including, but not limited to, the
1493 purposes of the lighting, reasonable economic considerations in terms
1494 both of initial capital costs and of operating costs including nonenergy
1495 operating costs, reasonable budgetary considerations in terms of the
1496 feasibility of implementing changes which require a significant capital
1497 expenditure in a given time period, any constraints imposed on
1498 lighting equipment by the nature of the activities being carried out in
1499 the facility involved, considerations involving historic preservation or
1500 unusual architectural features, the amount of remaining useful lifetime
1501 which a particular structure would be expected to enjoy and the size of
1502 the building or portion of the building involved.

1503 (d) The commissioner shall, upon the adoption of the regulations
1504 required by subsection (b) of this section, make random inspections of
1505 public buildings to monitor compliance with the standards established
1506 by such regulations. The commissioner may also inspect any public
1507 buildings against which complaints alleging violation of such
1508 standards have been received. The operator of a public building or
1509 portion thereof shall provide access to such inspectors at any
1510 reasonable time, including all times during which the facility is open to
1511 the public. If an inspector is denied access to a public building for the
1512 purposes of making an inspection in accordance with the provisions of
1513 this section, the commissioner may apply to the superior court for the
1514 judicial district wherein such building is located for injunctive or other
1515 equitable relief. If upon inspection it is determined that the lighting
1516 levels in a public building do not conform to such standards, the

1517 inspector shall make available to the owner or operator of such
1518 building, information regarding such standards and the economic and
1519 energy savings expected to result from compliance therewith. The
1520 owner or operator of a public building may, after having taken
1521 appropriate measures to render such building in compliance with such
1522 standards request a reinspection of such building by the commissioner.
1523 The commissioner may, upon such request or at his own discretion,
1524 conduct such reinspection and determine whether or not such building
1525 has been brought into compliance with such standards.

1526 (e) The commissioner shall maintain a listing of all public buildings
1527 found to be in compliance with the lighting standards adopted
1528 pursuant to subsection (c) of this section.

1529 (f) The [secretary] Commissioner of Energy and Environmental
1530 Protection may award lighting grants to municipalities for the purpose
1531 of improving the energy efficiency of lighting equipment in eligible
1532 buildings. All lighting grants shall be awarded based on an
1533 application, submitted by a municipality, which sets forth the lighting
1534 conservation measures to be implemented. Such measures shall meet
1535 the standards established pursuant to subsection (b) of this section and
1536 be consistent with the state energy policy, as set forth in section 16a-
1537 35k. When evaluating the applications submitted pursuant to this
1538 section and determining the amount of a lighting grant, the [secretary]
1539 Commissioner of Energy and Environmental Protection shall consider
1540 the energy savings and the payback period for the measures to be
1541 implemented and any other information which the [secretary]
1542 commissioner deems relevant. The funds for lighting grants shall be
1543 provided from proceeds of bonds issued for such purpose. The amount
1544 of each grant shall be not less than five thousand dollars but not more
1545 than fifty thousand dollars, provided the [secretary] Commissioner of
1546 Energy and Environmental Protection may award grants of less than
1547 five thousand dollars or more than fifty thousand dollars if the
1548 [secretary] Commissioner of Energy and Environmental Protection
1549 finds good cause to do so. All public service company incentive

1550 payments contributed to any energy conservation project at an eligible
1551 building shall be applied to pay the principal cost of that project.

1552 Sec. 23. Section 16a-40 of the general statutes is repealed and the
1553 following is substituted in lieu thereof (*Effective July 1, 2011*):

1554 For the purposes of sections 16a-40a to 16a-40c, inclusive, and this
1555 section:

1556 [(a)] (1) "Commissioner" means the Commissioner of [Economic and
1557 Community Development] Energy and Environmental Protection;

1558 [(b)] (2) "Alternative energy device" means a wood-burning stove
1559 for space heating and any system or mechanism which uses wood,
1560 solar radiation, wind, water or geothermal resources as a source for
1561 space heating, water heating, cooling or generation of electrical energy.
1562 Such alternative energy device may be a new source or system, a
1563 replacement of an existing source or system or a supplement to an
1564 existing source or system; and

1565 [(c)] (3) "Residential structure" means any building in which at least
1566 two-thirds of the usable square footage is used for dwelling purposes.

1567 Sec. 24. Section 16a-41b of the general statutes is repealed and the
1568 following is substituted in lieu thereof (*Effective July 1, 2011*):

1569 (a) There shall be a Low-Income Energy Advisory Board which shall
1570 consist of the following members: The [Secretary of the Office of Policy
1571 and Management or the secretary's designee] Commissioner of Energy
1572 and Environmental Protection or the commissioner's designee; the
1573 Commissioner of Social Services or the commissioner's designee; the
1574 executive director of the Commission on Aging; a representative of
1575 each electric and gas public service company designated by each such
1576 company; [the chairperson of the Department of Public Utility Control
1577 or] a commissioner of the Department of Public Utility Control;
1578 [designated by the chairperson;] the Consumer Counsel or the

1579 counsel's designee; the executive director of Operation Fuel; the
1580 executive director of Infoline; the director of the Connecticut Local
1581 Administrators of Social Services; the executive director of Legal
1582 Assistance Resource Center of Connecticut; the Connecticut president
1583 of AARP; a designee of the Norwich Public Utility; a designee of the
1584 Connecticut Petroleum Dealers Association; and a representative of the
1585 community action agencies administering energy assistance programs
1586 under contract with the Department of Social Services, designated by
1587 the Connecticut Association for Community Action.

1588 (b) The Low-Income Energy Advisory Board shall advise and assist
1589 the [Office of Policy and Management] Department of Energy and
1590 Environmental Protection and the Department of Social Services in the
1591 planning, development, implementation and coordination of energy-
1592 assistance-related programs and policies and low-income
1593 weatherization assistance programs and policies, shall advise the
1594 Department of [Public Utility Control] Energy and Environmental
1595 Protection regarding the impact of utility rates and policies, and shall
1596 make recommendations to the General Assembly regarding (1)
1597 legislation and plans subject to legislative approval, and (2)
1598 administration of the block grant program authorized under the Low-
1599 Income Energy Assistance Act, as described in section 16a-41a, to
1600 ensure affordable access to residential energy services to low-income
1601 state residents.

1602 (c) The [Secretary of the Office of Policy and Management or the
1603 person designated by the secretary] Commissioner of Energy and
1604 Environmental Protection or the commissioner's designee appointed
1605 pursuant to subsection (a) of this section shall be the chairperson of the
1606 board.

1607 (d) The [Secretary of the Office of Policy and Management]
1608 Commissioner of Energy and Environmental Protection shall convene
1609 the first meeting of the board not later than August 1, 2005. The
1610 [secretary] commissioner shall provide notice of meetings to the

1611 members of Low-Income Energy Advisory Board, provide space for
1612 such meetings, maintain minutes and publish reports of the board.

1613 Sec. 25. Section 16a-46 of the general statutes is repealed and the
1614 following is substituted in lieu thereof (*Effective July 1, 2011*):

1615 (a) The [Secretary of the Office of Policy and Management]
1616 Commissioner of Energy and Environmental Protection shall be
1617 responsible for the development and implementation of a residential
1618 energy conservation service program in accordance with the
1619 provisions of this section, sections 16a-46a, 16a-46b and 16a-46c and
1620 applicable federal law. Participants in the program shall provide or
1621 arrange for low cost energy audits. No participant under subdivision
1622 (1) or (3) of section 16a-45a may be required to provide such services
1623 outside its authorized service area or area of normal operation. The
1624 residential energy conservation service program shall terminate on
1625 July 1, 2010.

1626 (b) The [secretary, in consultation with the Department of Public
1627 Utility Control] commissioner, may adopt regulations, in accordance
1628 with chapter 54, with regard to the conduct and administration of such
1629 program. Not later than January first in 1996 and 1997, each participant
1630 shall submit a report to the [secretary] commissioner concerning the
1631 energy audits the participant provided or arranged for pursuant to this
1632 section. Not later than February first in 1996 and 1997, the [secretary]
1633 commissioner shall submit a report to the joint standing committee of
1634 the General Assembly having cognizance of matters relating to energy
1635 and technology concerning all energy audits provided or arranged for
1636 pursuant to this section.

1637 Sec. 26. Section 16a-46c of the general statutes is repealed and the
1638 following is substituted in lieu thereof (*Effective July 1, 2011*):

1639 The [Department of] Public Utility Control Authority shall exercise
1640 its regulatory responsibilities as they relate to the residential energy
1641 conservation service program within any program guidelines

1642 established by the [Secretary of the Office of Policy and Management]
1643 Commissioner of Energy and Environmental Protection in regulations
1644 adopted under section 16a-46 and in the plan authorized under section
1645 16a-46a. The [secretary] commissioner shall consult with the
1646 department in the development of the program. The department, in
1647 consultation with the [secretary] commissioner, may adopt regulations
1648 in accordance with chapter 54 concerning the conduct and
1649 administration of the program as it relates to the department's
1650 regulatory responsibilities.

1651 Sec. 27. Section 21a-86a of the general statutes is repealed and the
1652 following is substituted in lieu thereof (*Effective July 1, 2011*):

1653 (a) On or before October 1, 1990, the Commissioner of Consumer
1654 Protection, in consultation with [the Secretary of the Office of Policy
1655 and Management, the chairperson of the Public Utilities Control
1656 Authority,] the State Building Inspector and the Commissioners of
1657 Public Health and Energy and Environmental Protection, shall adopt
1658 regulations in accordance with the provisions of chapter 54
1659 establishing minimum efficiency standards for plumbing fixtures and
1660 other water-using devices, as appropriate.

1661 (b) The maximum water use allowed in the regulations adopted
1662 under subsection (a) of this section for showerheads, urinals, faucets
1663 and replacement aerators manufactured or sold on or after October 1,
1664 1990, shall be as follows: For showerheads, 2.5 gallons per minute; for
1665 urinals, 1.0 gallons per flush; for bathroom sinks, lavatory and kitchen
1666 faucets and replacement aerators, 2.5 gallons per minute, except that
1667 lavatories in restrooms of public facilities shall be equipped with outlet
1668 devices which limit the flow rate to a maximum of 0.5 gallons per
1669 minute. The maximum water use allowed in the regulations adopted
1670 under subsection (a) of this section for tank-type toilets, flushometer-
1671 valve toilets, flushometer-tank toilets and electromechanical hydraulic
1672 toilets manufactured or sold on or after January 1, 1992, shall be 1.6
1673 gallons per flush, unless and until equivalent standards for similar

1674 types of toilets are adopted by the American National Standards
1675 Institute, Inc.

1676 (c) Notwithstanding the provisions of subsection (b) of this section,
1677 the Commissioner of Consumer Protection, after consultation with [the
1678 Secretary of the Office of Policy and Management, the chairperson of
1679 the Public Utilities Control Authority,] the State Building Inspector
1680 and the Commissioners of Public Health and Energy and
1681 Environmental Protection, may increase the level of efficiency for
1682 plumbing fixtures upon determination that such increase would
1683 promote the conservation of water and energy and be cost-effective for
1684 consumers who purchase and use such fixtures. Any increased
1685 efficiency standard shall be effective one year after its adoption.

1686 (d) The Commissioner of Consumer Protection, in consultation with
1687 the Secretary of the Office of Policy and Management, [the chairperson
1688 of the Public Utilities Control Authority,] the State Building Inspector
1689 and the Commissioners of Public Health and Energy and
1690 Environmental Protection, shall adopt regulations in accordance with
1691 the provisions of chapter 54 necessary to implement the provisions of
1692 sections 21a-86 to 21a-86g, inclusive. Such regulations shall provide for
1693 (1) the sale of plumbing fixtures which do not meet the standards if the
1694 commissioner determines that compliance is not feasible or an
1695 unnecessary hardship exists and (2) the sale of plumbing fixtures,
1696 including, but not limited to, antique reproduction plumbing fixtures,
1697 which do not meet the standards, provided such plumbing fixtures
1698 were in stock in a store located in the state before October 1, 1990, if a
1699 showerhead, urinal, faucet or replacement aerator or before January 1,
1700 1992, if a tank-type toilet, flushometer-valve toilet, flushometer-tank
1701 toilet or electromechanical hydraulic toilet.

1702 Sec. 28. Subsection (a) of section 21a-86c of the general statutes is
1703 repealed and the following is substituted in lieu thereof (*Effective July*
1704 *1, 2011*):

1705 (a) The Commissioner of Consumer Protection, in consultation with
1706 [the Secretary of the Office of Policy and Management, the chairperson
1707 of the Public Utilities Control Authority,] the State Building Inspector
1708 and the Commissioners of Public Health and Energy and
1709 Environmental Protection, shall establish procedures for testing the
1710 efficiency of plumbing fixtures offered for retail sale if such procedures
1711 are not established in the State Building Code adopted pursuant to
1712 section 29-252.

1713 Sec. 29. Section 22a-174~~l~~ of the general statutes is repealed and the
1714 following is substituted in lieu thereof (*Effective July 1, 2011*):

1715 (a) Not later than sixty days after June 4, 2007, the Commissioner of
1716 Energy and Environmental Protection shall issue notice of intent to
1717 issue a general permit regarding the construction and operation of new
1718 or existing emergency engines and distributed generation resources
1719 that (1) generate no more than two megawatts of electricity; and (2) are
1720 approved by the Department of [Public Utility Control] Energy and
1721 Environmental Protection to participate in the markets administered
1722 by the regional independent system operator in accordance with
1723 subsection (b) of section 16-246g. Before issuing such permit, the
1724 sources to be covered by such permit shall provide the Commissioner
1725 of Energy and Environmental Protection with any information said
1726 commissioner deems necessary for the issuance of such permit. Any
1727 such general permit shall be issued in accordance with the provisions
1728 of subsection (k) of section 22a-174 and the general permit, and any
1729 authorization to operate under such permit, shall expire on the later of
1730 December 31, 2010, or ninety days after the energizing of the
1731 Middletown-Norwalk 345 kv transmission line approved by the
1732 Connecticut Siting Council. Notwithstanding this section, the
1733 Commissioner of Energy and Environmental Protection may [, in
1734 consultation with the chairperson of the Public Utilities Control
1735 Authority,] renew such general permit in accordance with the
1736 provisions of subsection (k) of section 22a-174 provided the
1737 Commissioner of Energy and Environmental Protection determines

1738 that renewal of such general permit is consistent with the requirements
1739 of subsection (b) of this section. The provisions of the general permit
1740 shall include, but not be limited to: Minimum setback provisions,
1741 limitations on hours of operation, requirements for air pollution
1742 controls certified to achieve a minimum reduction in emissions of
1743 nitrogen oxides of ninety per cent, directionally correct offsets at a
1744 ratio to be determined by the Commissioner of Energy and
1745 Environmental Protection, required control equipment, requirements
1746 for monitoring, reporting and recordkeeping, and any other
1747 requirement that said commissioner deems necessary. The provisions
1748 of this section are in addition to any other authority provided by law
1749 to said commissioner.

1750 (b) When issuing or renewing the general permit pursuant to this
1751 section, the Commissioner of Energy and Environmental Protection
1752 shall [, in consultation with the chairperson of the Public Utilities
1753 Control Authority,] consider energy generation that will maximize the
1754 savings to the state's electric ratepayers and benefit the state's economy
1755 as a whole, but shall ensure that any emission increases resulting from
1756 the operation of sources covered by the general permit are offset by
1757 emission decreases from sources in Connecticut consistent with
1758 Connecticut's air quality attainment planning needs and requirements.
1759 The sources of decreases in emissions may include, but not be limited
1760 to, electric generation sources and demand response.

1761 (c) On or before February 1, 2008, the Department of Energy and
1762 Environmental Protection [, in consultation with the Department of
1763 Public Utility Control,] shall report to the joint standing committees of
1764 the General Assembly having cognizance of matters relating to energy
1765 and the environment regarding the economic and environmental
1766 benefits of the general permit issued pursuant to this section and the
1767 actions and measures taken pursuant to section 16-246g.

1768 Sec. 30. Section 22a-1b of the general statutes is repealed and the
1769 following is substituted in lieu thereof (*Effective July 1, 2011*):

1770 The General Assembly directs that, to the fullest extent possible:

1771 (a) Each state department, institution or agency shall review its
1772 policies and practices to insure that they are consistent with the state's
1773 environmental policy as set forth in sections 22a-1 and 22a-1a.

1774 (b) (1) Each sponsoring agency shall, prior to a decision to prepare
1775 an environmental impact evaluation pursuant to subsection (c) of this
1776 section for an action which may significantly affect the environment,
1777 conduct an early public scoping process.

1778 (2) To initiate an early public scoping process, the sponsoring
1779 agency shall provide notice on a form that has been approved by the
1780 [Council on Environmental Quality] Department of Energy and
1781 Environmental Protection, which shall include, but not be limited to,
1782 the date, time and location of any proposed public scoping meeting
1783 and the duration of the public comment period pursuant to
1784 subdivision (3) of this subsection, to the council, the Office of Policy
1785 and Management and any other state agency whose activities may
1786 reasonably be expected to affect or be affected by the proposed action.

1787 (3) Members of the public and any interested state agency
1788 representatives may submit comments on the nature and extent of any
1789 environmental impacts of the proposed action during the thirty days
1790 following the publication of the notice of the early public scoping
1791 process pursuant to this section.

1792 (4) A public scoping meeting shall be held at the discretion of the
1793 sponsoring agency or if twenty-five persons or an association having
1794 not less than twenty-five persons requests such a meeting within ten
1795 days of the publication of the notice in the Environmental Monitor. A
1796 public scoping meeting shall be held not less than ten days following
1797 the notice of the proposed action in the Environmental Monitor. The
1798 public comment period shall remain open for at least five days
1799 following the meeting.

1800 (5) A sponsoring agency shall provide the following at a public
1801 scoping meeting: (A) A description of the proposed action; (B) a
1802 description of the purpose and need of the proposed action; (C) a list of
1803 the criteria for a site for the proposed action; (D) a list of potential sites
1804 for the proposed action; (E) the resources of any proposed site for the
1805 proposed action; (F) the environmental limitations of such sites; (G)
1806 potential alternatives to the proposed action; and (H) any information
1807 the sponsoring agency deems necessary.

1808 (6) Any agency submitting comments or participating in the public
1809 scoping meeting pursuant to this section shall include, to the extent
1810 practicable, but not be limited to, information about (A) the resources
1811 of any proposed site for the proposed action, (B) any plans of the
1812 commenting agency that may affect or be affected by the proposed
1813 action, (C) any permits or approvals that may be necessary for the
1814 proposed action, and (D) any appropriate measures that would
1815 mitigate the impact of the proposed action, including, but not limited
1816 to, recommendations as to preferred sites for the proposed action or
1817 alternatives for the proposed action that have not been identified by
1818 the sponsoring agency.

1819 (7) The sponsoring agency shall consider any comments received
1820 pursuant to this section or any information obtained during the public
1821 scoping meeting in selecting the proposed actions to be addressed in
1822 the environmental impact evaluation and shall evaluate in its
1823 environmental impact evaluation any substantive issues raised during
1824 the early public scoping process that pertain to a proposed action or
1825 site or alternative actions or sites.

1826 (c) Each state department, institution or agency responsible for the
1827 primary recommendation or initiation of actions which may
1828 significantly affect the environment shall in the case of each such
1829 proposed action make a detailed written evaluation of its
1830 environmental impact before deciding whether to undertake or
1831 approve such action. All such environmental impact evaluations shall

1832 be detailed statements setting forth the following: (1) A description of
1833 the proposed action which shall include, but not be limited to, a
1834 description of the purpose and need of the proposed action, and, in the
1835 case of a proposed facility, a description of the infrastructure needs of
1836 such facility, including, but not limited to, parking, water supply,
1837 wastewater treatment and the square footage of the facility; (2) the
1838 environmental consequences of the proposed action, including
1839 cumulative, direct and indirect effects which might result during and
1840 subsequent to the proposed action; (3) any adverse environmental
1841 effects which cannot be avoided and irreversible and irretrievable
1842 commitments of resources should the proposal be implemented; (4)
1843 alternatives to the proposed action, including the alternative of not
1844 proceeding with the proposed action and, in the case of a proposed
1845 facility, a list of all the sites controlled by or reasonably available to the
1846 sponsoring agency that would meet the stated purpose of such facility;
1847 (5) an evaluation of the proposed action's consistency and each
1848 alternative's consistency with the state plan of conservation and
1849 development, an evaluation of each alternative including, to the extent
1850 practicable, whether it avoids, minimizes or mitigates environmental
1851 impacts, and, where appropriate, a description of detailed mitigation
1852 measures proposed to minimize environmental impacts, including, but
1853 not limited to, where appropriate, a site plan; (6) an analysis of the
1854 short term and long term economic, social and environmental costs
1855 and benefits of the proposed action; (7) the effect of the proposed
1856 action on the use and conservation of energy resources; and (8) a
1857 description of the effects of the proposed action on sacred sites or
1858 archaeological sites of state or national importance. In the case of an
1859 action which affects existing housing, the evaluation shall also contain
1860 a detailed statement analyzing (A) housing consequences of the
1861 proposed action, including direct and indirect effects which might
1862 result during and subsequent to the proposed action by income group
1863 as defined in section 8-37aa and by race, and (B) the consistency of the
1864 housing consequences with the long-range state housing plan adopted
1865 under section 8-37t. As used in this section, "sacred sites" and

1866 "archaeological sites" shall have the same meaning as in section 10-381.

1867 (d) (1) The [Council on Environmental Quality] Department of
1868 Energy and Environmental Protection shall publish a document at
1869 least once a month to be called the Environmental Monitor which shall
1870 include any notices the council receives pursuant to sections 22a-1b to
1871 22a-1i, inclusive, and shall include notice of the opportunity to request
1872 a public scoping meeting. Filings of such notices received by five
1873 o'clock p.m. on the first day of each month shall be published in the
1874 Environmental Monitor that is issued not later than ten days
1875 thereafter.

1876 (2) The [Council on Environmental Quality] Department of Energy
1877 and Environmental Protection shall post the Environmental Monitor
1878 on its Internet site and distribute a subscription or a copy of the
1879 Environmental Monitor by electronic mail to any state agency,
1880 municipality or person upon request. The council shall also provide
1881 the Environmental Monitor to the clerk of each municipality for
1882 posting in its town hall.

1883 (e) Any state department, institution or agency that conducts an
1884 environmental impact evaluation pursuant to subsection (c) of this
1885 section may enter into a contract with a person for the preparation of
1886 such evaluation, provided such department, institution or agency: (1)
1887 Guides such person in the preparation of such evaluation, (2)
1888 participates in the preparation of such evaluation, (3) independently
1889 reviews such evaluation prior to submitting such evaluation for
1890 comment pursuant to section 22a-1d, and (4) assures that any third
1891 party responsible for conducting any activity that is the subject of such
1892 evaluation is not a party to such contract. Such department, institution
1893 or agency may require any such third party responsible for conducting
1894 any activity that is the subject of such evaluation to remit a fee to such
1895 department, institution or agency in an amount sufficient to pay for
1896 the cost of hiring a person to prepare such evaluation in accordance
1897 with the provisions of this subsection.

1898 Sec. 31. Section 22a-2 of the general statutes is repealed and the
1899 following is substituted in lieu thereof (*Effective July 1, 2011*):

1900 (a) [There shall be a] The Department of Energy and Environmental
1901 Protection [which] shall have jurisdiction over all matters relating to
1902 the preservation and protection of the air, water and other natural
1903 resources of the state, the equitable distribution and conservation of
1904 energy, the regulation of public utilities and the development and
1905 administration of a state-wide energy policy. [Said department shall be
1906 under the direction of a Commissioner of Environmental Protection
1907 who shall be appointed in accordance with the provisions of sections 4-
1908 5 to 4-8, inclusive.]

1909 (b) As used in this title and chapters 263, 268, 348, 360, 447, 448, 449,
1910 452, 462, 474, 476, 477, 478, 479, 490 and 495, except where otherwise
1911 provided, "commissioner" means the Commissioner of Energy and
1912 Environmental Protection or his designated agent. The Commissioner
1913 of Energy and Environmental Protection shall have the authority to
1914 designate as his agent (1) any deputy commissioner to exercise all or
1915 part of the authority, powers and duties of said commissioner in his
1916 absence, (2) any deputy commissioner or any employee, assistant or
1917 agent employed pursuant to section 22a-4 to exercise such authority of
1918 the Commissioner of Energy and Environmental Protection as he
1919 delegates for the administration or enforcement of any applicable
1920 statute, regulation, permit or order, (3) the Commissioner of Public
1921 Safety and any local air pollution control official or agency to exercise
1922 such authority as the Commissioner of Energy and Environmental
1923 Protection delegates for the enforcement of any applicable statute,
1924 regulation, order or permit pertaining to air pollution, except the
1925 authority to render a final decision, after a hearing, assessing a civil
1926 penalty under said section 22a-6b, and (4) any municipal police
1927 department the authority to enforce the provisions of chapters 268 and
1928 490.

1929 (c) As used in this chapter, and chapters 263, 268, 348, 360, 440,

1930 446d, 446i, 446k, 447, 448, 449, 452, 462, 474, 476, 477, 478, 479, 490 and
1931 495, except where otherwise provided, "person" means any individual,
1932 firm, partnership, association, syndicate, company, trust, corporation,
1933 limited liability company, municipality, agency or political or
1934 administrative subdivision of the state, or other legal entity of any
1935 kind.

1936 Sec. 32. Section 22a-5 of the general statutes is repealed and the
1937 following is substituted in lieu thereof (*Effective July 1, 2011*):

1938 The commissioner shall carry out the energy and environmental
1939 policies of the state and shall have all powers necessary and
1940 convenient to faithfully discharge this duty. In addition to, and
1941 consistent with the environment policy of the state, the commissioner
1942 shall [(a)] (1) promote and coordinate management of water, land and
1943 air resources to assure their protection, enhancement and proper
1944 allocation and utilization; [(b)] (2) provide for the protection and
1945 management of plants, trees, fish, shellfish, wildlife and other animal
1946 life of all types, including the preservation of endangered species; [(c)]
1947 (3) provide for the protection, enhancement and management of the
1948 public forests, parks, open spaces and natural area preserves; [(d)] (4)
1949 provide for the protection, enhancement and management of inland,
1950 marine and coastal water resources, including, but not limited to,
1951 wetlands, rivers, estuaries and shorelines; [(e)] (5) provide for the
1952 prevention and abatement of all water, land and air pollution
1953 including, but not limited to, that related to particulates, gases, dust,
1954 vapors, noise, radiation, odors, nutrients and cooled or heated liquids,
1955 gases and solids; [(f)] (6) provide for control of pests and regulate the
1956 use, storage and disposal of pesticides and other chemicals which may
1957 be harmful to man, sea life, animals, plant life or natural resources;
1958 [(g)] (7) regulate the disposal of solid waste and liquid waste,
1959 including but not limited to, domestic and industrial refuse, junk
1960 motor vehicles, litter and debris, which methods shall be consistent
1961 with sound health, scenic environmental quality and land use
1962 practices; [(h)] (8) regulate the storage, handling and transportation of

1963 solids, liquids and gases which may cause or contribute to pollution;
1964 [and (i)] (9) provide for minimum state-wide standards for the mining,
1965 extraction, excavation or removal of earth materials of all types; (10)
1966 provide for the highest standards of public utility regulation and the
1967 protection of consumers; (11) provide for the equitable distribution
1968 and conservation of energy; (12) provide for the conservation of energy
1969 resources by avoiding unnecessary and wasteful consumption; (13)
1970 provide for the consumption of energy resources in the most efficient
1971 manner feasible; (14) provide for the development and use of
1972 renewable energy resources, such as solar and wind energy, to the
1973 maximum practicable extent; (15) diversify the state's energy supply;
1974 (16) whenever practicable, replace energy resources vulnerable to
1975 interruption due to circumstances beyond the state's control with
1976 energy sources that are less vulnerable to such interruption; (17) assist
1977 citizens and businesses in implementing measures to reduce energy
1978 consumption and energy costs; (18) ensure that low-income
1979 households can meet essential energy needs; (19) maintain planning
1980 and preparedness capabilities necessary to deal effectively with future
1981 energy supply interruptions; and (20) whenever available energy
1982 alternatives are equivalent, give preference to capacity additions for
1983 conservation and load management.

1984 Sec. 33. Section 22a-11 of the general statutes is repealed and the
1985 following is substituted in lieu thereof (*Effective July 1, 2011*):

1986 There shall be a Council on Environmental Quality which shall be
1987 within the Department of Energy and Environmental Protection. [for
1988 administrative purposes only.] Said council shall consist of nine
1989 members, five to be appointed by the Governor, two to be appointed
1990 by the speaker of the House of Representatives and two to be
1991 appointed by the president pro tempore of the Senate. No member
1992 shall be allowed to serve more than eight years of any twelve-year
1993 period. The Governor shall fill any vacancy by appointment for the
1994 unexpired portion of the term vacated. The chairman of said council
1995 shall be selected by the Governor. Members of said council shall

1996 receive no compensation for their services thereon, but shall be
1997 reimbursed for necessary expenses in the performance of their duties.
1998 Said council shall hold one meeting each month and such additional
1999 meetings as may be prescribed by council rules. In addition, special
2000 meetings may be called by the chairman or by any three members
2001 upon delivery of forty-eight hours' written notice to each member. Five
2002 members shall constitute a quorum and not fewer than three votes
2003 shall be required for any final determination of said council. [The
2004 council may employ an executive director, exclusive of the provisions
2005 of chapter 67 and such additional staff and consultants as may be
2006 necessary to carry out its duties, within available appropriations.]

2007 Sec. 34. Subsection (e) of section 22a-119 of the general statutes is
2008 repealed and the following is substituted in lieu thereof (*Effective July*
2009 *1, 2011*):

2010 (e) Prior to commencing any hearing pursuant to this section the
2011 council shall consult with and solicit written comments from the
2012 Departments of Energy and Environmental Protection, Public Health,
2013 [Public Utility Control,] Economic and Community Development,
2014 Public Safety and Transportation, the Office of Policy and
2015 Management and the Council on Environmental Quality. Copies of
2016 comments submitted by such agencies shall be available to all parties
2017 prior to commencement of the public hearing. Agencies consulted may
2018 file additional comments within thirty days of the conclusion of the
2019 hearing and such additional comments shall be a part of the record.

2020 Sec. 35. Section 22a-198 of the general statutes is repealed and the
2021 following is substituted in lieu thereof (*Effective July 1, 2011*):

2022 (a) On and after January 1, 2005, the owner or operator of a Title IV
2023 source that is also an affected unit or units shall:

2024 (1) Combust liquid fuel, gaseous fuel, solid fuel or a combination of
2025 each provided that each fuel possesses a fuel sulfur limit equal to or
2026 less than 0.3 per cent sulfur, by weight (dry basis); or

2027 (2) Meet an average emission rate equal to or less than 0.33 pounds
2028 SO₂ per MMBtu for each calendar quarter for an affected unit at the
2029 premises; or

2030 (3) Meet an average emission rate equal to or less than 0.3 pounds
2031 SO₂ per MMBtu calculated for each calendar quarter, if such owner or
2032 operator averages the emissions from two or more affected units at the
2033 premises.

2034 (b) On and after January 1, 2005, no owner or operator of a Title IV
2035 source that is also an affected unit or units may use SO₂ DERCS or SO₂
2036 allowances to comply with the requirements of subsection (a) of this
2037 section except if the Commissioner of Environmental Protection
2038 requires the owner or operator of an affected unit or units using a low-
2039 sulfur fuel to comply with subdivision (1) of subsection (a) of this
2040 section to offset excess SO₂ emissions that were emitted during a
2041 suspension period, as described in subsection (c) of this section,
2042 through the purchase or retirement of such SO₂ DERCS or SO₂
2043 allowances.

2044 (c) The Commissioner of Energy and Environmental Protection may
2045 suspend the requirements of subdivision (1) of subsection (a) of this
2046 section for the owner or operator of any affected unit using a low-
2047 sulfur fuel, including a low-sulfur solid fuel. Such suspension shall be
2048 made only when the commissioner finds that the availability of fuel
2049 that complies with such requirements is inadequate to meet the needs
2050 of residential, commercial and industrial users in this state and that
2051 such inadequate supply constitutes an emergency, provided such
2052 suspension shall not exceed the period that the inadequate supply
2053 constitutes an emergency. Any such suspension by the commissioner
2054 shall not suspend or alter the sulfur dioxide average emission rate
2055 requirements that are in effect as of May 2, 2002. The Commissioner of
2056 Energy and Environmental Protection shall specify in writing the
2057 period of time that such suspension shall be in effect and shall provide
2058 notice of such suspension to the joint standing committees of the

2059 General Assembly having cognizance of matters relating to the
2060 environment and energy and technology. No later than thirty days
2061 after the termination of such suspension, the owner or operator of an
2062 affected unit or units shall report to the commissioner, in writing, the
2063 amount of SO₂ emissions in excess of those that would have occurred if
2064 the use of compliant fuel at such affected unit or units had not been
2065 interrupted. If such excess SO₂ emissions from any premises exceed
2066 fifty tons, the commissioner shall require that the owner or operator of
2067 such affected unit or units offset such SO₂ emissions through the
2068 purchase or retirement of SO₂ DERCS or SO₂ allowances.

2069 (d) The provisions of subsections (c) and (f) of this section, when
2070 implemented by the Commissioner of Energy and Environmental
2071 Protection, shall not suspend any underlying procedures or
2072 requirements in the Regulations of Connecticut State Agencies adopted
2073 by the Department of Energy and Environmental Protection pertaining
2074 to SO₂ emissions.

2075 (e) No provision of section 22a-197, this section or subsection (a) of
2076 section 16-245l shall be construed to prohibit the Commissioner of
2077 Energy and Environmental Protection from waiving or suspending
2078 any applicable sulfur dioxide emissions standard as may be allowed
2079 under current federal or state laws or regulations, or other permit
2080 limits of a must run Title IV source, as ordered by the Independent
2081 System Operator, as may be allowed under current federal or state
2082 laws or regulations. The commissioner may attach any conditions to
2083 such suspension or waiver, as the commissioner deems necessary to
2084 mitigate any adverse environmental or public health impacts.

2085 (f) The Commissioner of Energy and Environmental Protection [, in
2086 consultation with the chairperson of the Public Utilities Control
2087 Authority,] may suspend the prohibition of subsection (b) of this
2088 section for a Title IV source if it is determined that the application of
2089 the prohibition established under subsection (b) of this section
2090 adversely affects the ability to meet the reliability standards, as defined

2091 by the New England Power Pool or its successor organization, and the
2092 suspension thereof is intended to mitigate such reliability problems.
2093 The Commissioner of Energy and Environmental Protection [, in
2094 consultation with the chairperson of the Public Utilities Control
2095 Authority,] shall specify in writing the reasons for such suspension
2096 and the period of time that such suspension shall be in effect and shall
2097 provide notice of such suspension at the time of issuance, or the next
2098 business day, to the joint standing committees of the General
2099 Assembly having cognizance of matters relating to the environment
2100 and energy and technology. No such waiver shall last more than thirty
2101 days. The commissioner may reissue additional waivers for such
2102 source after said initial waiver has expired. Within ten days of receipt
2103 of the commissioner's notice of suspension, the committees having
2104 cognizance of matters relating to the environment and energy and
2105 technology may hold a joint public hearing and meeting of the
2106 committees to either modify or reject the commissioner's suspension
2107 by a majority vote. If the committees do not meet, the commissioner's
2108 suspension shall be deemed approved.

2109 Sec. 36. Section 22a-354i of the general statutes is repealed and the
2110 following is substituted in lieu thereof (*Effective July 1, 2011*):

2111 (a) On or before July 1, 1991, the Commissioner of Energy and
2112 Environmental Protection shall publish notice of intent to adopt
2113 regulations in accordance with chapter 54 for land use controls in
2114 aquifer protection areas. The regulations shall establish (1) best
2115 management practice standards for existing regulated activities located
2116 entirely or in part within aquifer protection areas and a schedule for
2117 compliance of nonconforming regulated activities with such standards,
2118 (2) best management practice standards for and prohibitions of
2119 regulated activities proposed to be located entirely or in part within
2120 aquifer protection areas, (3) procedures for exempting regulated
2121 activities in aquifer protection areas upon determination solely by the
2122 commissioner that such regulated activities do not pose a threat to any
2123 existing or potential drinking water supply, and (4) requirements for

2124 design and installation of groundwater monitoring within aquifer
2125 protection areas. In addition, the commissioner may adopt such other
2126 regulations as deemed necessary to carry out the purposes of sections
2127 22a-354b, 22a-354c, 22a-354h, this section, sections 22a-354m, 22a-354n,
2128 subsection (e) of section 22a-354p and subsection (d) of section 22a-451,
2129 including, but not limited to, regulations which provide for the
2130 manner in which the boundaries of aquifer protection areas shall be
2131 established and amended; criteria and procedures for submission and
2132 review of applications to construct or begin regulated activities;
2133 procedures for granting, denying, limiting, revoking, suspending,
2134 transferring and modifying permits for regulated activities; controls
2135 regarding the expansion of nonconforming regulated activities,
2136 including procedures for offsetting impacts from the expansion or
2137 modification of nonconforming regulated activities or procedures for
2138 modifying permits of regulated activities by the removal of other
2139 potential pollution sources within the subject well field, procedures for
2140 the granting of permits for such expansion or modification based on
2141 the certification of a qualified person that such expansion meets
2142 criteria established by the commissioner; registration requirements for
2143 existing regulated activities and procedures for transferring
2144 registrations; procedures for landowners to notify a municipality or
2145 the commissioner of a change in use and other provisions for
2146 administration of the aquifer protection program.

2147 (b) In adopting such regulations, the commissioner shall consider
2148 the guidelines for aquifer protection areas recommended in the report
2149 prepared pursuant to special act 87-63, as amended, and shall avoid
2150 duplication and inconsistency with other state or federal laws and
2151 regulations affecting aquifers. The regulations shall be developed in
2152 consultation with an advisory committee appointed by the
2153 commissioner. The advisory committee shall include the
2154 Commissioners of Public Works and Public Health, [and the
2155 chairperson of the Public Utilities Control Authority,] or their
2156 designees, members of the public, and representatives of businesses

2157 affected by the regulations, agriculture, environmental groups,
2158 municipal officers and water companies.

2159 Sec. 37. Section 22a-354w of the general statutes is repealed and the
2160 following is substituted in lieu thereof (*Effective July 1, 2011*):

2161 The Commissioner of Energy and Environmental Protection, in
2162 consultation with the Commissioner of Public Health [and the
2163 chairperson of the Public Utilities Control Authority,] shall prepare
2164 guidelines for acquisition of lands surrounding existing or proposed
2165 public water supply well fields. In preparing such guidelines the
2166 commissioner shall consider economic implications for mandating
2167 land acquisition including, but not limited to, the effect on land values
2168 and the ability of small water companies to absorb the cost of
2169 acquisition.

2170 Sec. 38. Subsection (d) of section 22a-371 of the general statutes is
2171 repealed and the following is substituted in lieu thereof (*Effective July*
2172 *1, 2011*):

2173 (d) Upon notifying the applicant in accordance with subsection (c)
2174 of this section that the application is complete, the commissioner shall
2175 immediately provide notice of the application and a concise
2176 description of the proposed diversion to the Governor, the Attorney
2177 General, the speaker of the House of Representatives, the president pro
2178 tempore of the Senate, the Secretary of the Office of Policy and
2179 Management, the Commissioners of Public Health and Economic and
2180 Community Development, [the chairperson of the Public Utilities
2181 Control Authority,] chief executive officer and chairmen of the
2182 conservation commission and wetlands agency of the municipality or
2183 municipalities in which the proposed diversion will take place or have
2184 effect, and to any person who has requested notice of such activities.

2185 Sec. 39. Section 23-8 of the general statutes is repealed and the
2186 following is substituted in lieu thereof (*Effective July 1, 2011*):

2187 (a) The Commissioner of Energy and Environmental Protection
2188 shall have power, acting by himself or with local authorities, to
2189 acquire, maintain and make available to the public open spaces for
2190 recreation. Said commissioner may take, in the name of the state and
2191 for the benefit of the public, by purchase, gift or devise, lands and
2192 rights in land and personal estate for public open spaces, or take bonds
2193 for the conveyance thereof, or may lease the same for a period not
2194 exceeding five years, with an option to buy, and may preserve and
2195 care for such public reservations, and, in his discretion and upon such
2196 terms as he may approve, such other open spaces within this state as
2197 may be entrusted, given or devised to the state by the United States or
2198 by cities, towns, corporations or individuals for the purposes of public
2199 recreation, or for the preservation of natural beauty or historical
2200 association, provided said commissioner shall not take or contract to
2201 take by purchase or lease any land or other property for an amount or
2202 amounts beyond such sum or sums as have been appropriated or
2203 contributed therefor. No provision of this section shall be construed to
2204 set aside any terms or conditions under which gifts or bequests of land
2205 have been accepted by the commissioner.

2206 (b) Twenty-one per cent of the state's land area shall be held as open
2207 space land. The goal of the state's open space acquisition program shall
2208 be to acquire land such that ten per cent of the state's land area is held
2209 by the state as open space land and not less than eleven per cent of the
2210 state's land area is held by municipalities, water companies or
2211 nonprofit land conservation organizations as open space land
2212 consistent with the provisions of sections 7-131d to 7-131g, inclusive.
2213 Such program shall not affect the ability of any water company to
2214 reclassify or sell any land, or interest in land, which was not acquired,
2215 in whole or in part, with funds made available under the program
2216 established under sections 7-131d to 7-131g, inclusive. The goal for
2217 state open space acquisition shall be three thousand acres acquired in
2218 1999, four thousand acres acquired in 2000, four thousand acres
2219 acquired in 2001 and five thousand acres acquired in 2002 provided

2220 such acquisition program shall continue until the overall state goal of
2221 open space acquisition is achieved. The commissioner, in consultation
2222 with [the Council on Environmental Quality established under section
2223 22a-11 and] private nonprofit land conservation organizations, shall
2224 prepare, and update as necessary, a comprehensive strategy for
2225 achieving the state goal and shall set an appropriate additional goal for
2226 increasing the amount of land held as open space by municipalities or
2227 by private nonprofit land conservation organizations and shall include
2228 in such strategy provisions for achieving such goal. Such strategy shall
2229 include, but not be limited to, recommendations regarding: (1)
2230 Timetables for acquisition of land by the state, (2) management of such
2231 land, (3) resources to be used for acquisition and management of such
2232 land, and (4) acquisition and maintenance of open space land by
2233 municipalities and by private entities. On or before January 1, 1998,
2234 and annually thereafter, the commissioner shall submit a report to the
2235 joint standing committee of the General Assembly having cognizance
2236 of matters relating to the environment regarding the strategy and the
2237 progress being made towards the goals.

2238 (c) To further the efforts to preserve open space in the state and to
2239 help realize the goal established in subsection (b) of this section to have
2240 at least twenty-one per cent of the state's land held by the state,
2241 municipalities, land conservation organizations and water utilities as
2242 open space, the Department of Energy and Environmental Protection
2243 shall conduct an evaluation of lands of class A water companies, as
2244 defined in section 16-1, to determine the resource value and potential
2245 desirability of such lands for purchase for open space or public
2246 outdoor recreation or natural resource conservation or preservation.
2247 The water companies and land conservation organizations shall work
2248 cooperatively with the department and provide maps and other
2249 information to assist the Department of Energy and Environmental
2250 Protection in the evaluation of these properties and said department
2251 shall develop strategies for alternative methods of funding the
2252 preservation of water company lands in perpetuity as open space.

2253 Sec. 40. Section 23-102 of the general statutes is repealed and the
2254 following is substituted in lieu thereof (*Effective July 1, 2011*):

2255 (a) There shall be a Connecticut Greenways Council which shall be
2256 within the Department of Energy and Environmental Protection for
2257 administrative purposes only. The council shall consist of eleven
2258 members, five to be appointed by the Governor, one to be appointed
2259 by the speaker of the House of Representatives, one to be appointed by
2260 the majority leader of the House of Representatives, one to be
2261 appointed by the president pro tempore of the Senate, one to be
2262 appointed by the majority leader of the Senate, one to be appointed by
2263 the minority leader of the House of Representatives and one to be
2264 appointed by the minority leader of the Senate. All appointments to
2265 the council shall be made on or before October 1, 1995. Three of the
2266 members initially appointed by the Governor shall serve a term of two
2267 years and two of the members appointed by the Governor shall serve a
2268 term of four years. All members appointed by the Governor thereafter
2269 shall serve a term of four years. The terms of all members appointed
2270 by members of the General Assembly shall be coterminous with the
2271 terms of members of the General Assembly. The appointing authority
2272 shall fill any vacancy by appointment for the unexpired portion of the
2273 term vacated. The chairman of said council shall be selected by the
2274 Governor. Members of said council shall receive no compensation for
2275 their services on the council. The council shall hold one meeting each
2276 quarter and such additional meetings as may be prescribed by council
2277 rules. Special meetings may be called by the chairman or by any three
2278 members upon delivery of forty-eight hours' written notice to each
2279 member. The council may employ an executive director, exclusive of
2280 the provisions of chapter 67, and such additional staff and contractors
2281 and consultants as may be necessary to carry out its duties. [and may
2282 share the personnel and resources of the council on environmental
2283 quality, within available appropriations.] The council may receive aid
2284 or contributions from any source, including grants-in-aid from any
2285 state agency.

2286 (b) The duties of the council shall be: (1) To advise and assist in the
2287 coordination of state agencies, municipalities, regional planning
2288 organizations, as defined in section 4-124i, and private citizens in
2289 voluntarily planning and implementing a system of greenways; (2) to
2290 operate a greenways help center to advise state agencies,
2291 municipalities, regional planning organizations, as defined in section
2292 4-124i, and private citizens in the technical aspects of planning,
2293 designing and implementing greenways, including advice on securing
2294 state, federal and nongovernmental grants; (3) to establish criteria for
2295 designation of greenways; (4) to maintain an inventory of greenways
2296 in the state which shall include the location of greenways
2297 transportation projects which have received grants under sections 23-
2298 101, 32-6a, 32-9qq and 32-328; (5) to advise the Commissioner of
2299 Economic and Community Development on the distribution of grants
2300 for greenways transportation projects pursuant to sections 32-6a, 32-
2301 9qq and 32-328; and (6) to advise the Commissioner of Energy and
2302 Environmental Protection on the distribution of grants pursuant to
2303 section 23-101.

2304 Sec. 41. Section 25-32i of the general statutes is repealed and the
2305 following is substituted in lieu thereof (*Effective July 1, 2011*):

2306 There is created a Residential Water-Saving Advisory Board to
2307 advise the Commissioner of Public Health on educational materials or
2308 information on water conservation. The board shall consist of eight
2309 members as follows: The Commissioners of Energy and Environmental
2310 Protection and Public Health, the Secretary of the Office of Policy and
2311 Management, [the chairperson of the Public Utilities Control
2312 Authority,] and the Consumer Counsel, or their respective designees; a
2313 representative of a small investor-owned water company, who shall be
2314 appointed by the minority leader of the Senate; a representative of a
2315 large investor-owned water company, who shall be appointed by the
2316 minority leader of the House of Representatives; and a representative
2317 of a municipal or regional water authority, who shall be jointly
2318 appointed by the president pro tempore of the Senate and the speaker

2319 of the House of Representatives. The Governor shall designate the
2320 chairman of the board.

2321 Sec. 42. Section 25-33o of the general statutes is repealed and the
2322 following is substituted in lieu thereof (*Effective July 1, 2011*):

2323 (a) The [chairperson of the Public Utilities Control Authority, or the
2324 chairperson's designee, the] Commissioner of Energy and
2325 Environmental Protection, or the commissioner's designee, the
2326 Secretary of the Office of Policy and Management, or the secretary's
2327 designee, and the Commissioner of Public Health, or the
2328 commissioner's designee, shall constitute a Water Planning Council to
2329 address issues involving the water companies, water resources and
2330 state policies regarding the future of the state's drinking water supply.
2331 On or after July 1, 2007, and each year thereafter, the chairperson of the
2332 Water Planning Council shall be elected by the members of the Water
2333 Planning Council.

2334 (b) The Water Planning Council shall conduct a study, in
2335 consultation with representatives of water companies, municipalities,
2336 agricultural groups, environmental groups and other water users, that
2337 shall include the following issues: (1) The financial viability, market
2338 structure, reliability of customer service and managerial competence of
2339 water companies; (2) fair and reasonable water rates; (3) protection and
2340 appropriate allocation of the state's water resources while providing
2341 for public water supply needs; (4) the adequacy and quality of the
2342 state's drinking water supplies to meet current and future needs; (5) an
2343 inventory of land and land use by water companies; (6) the status of
2344 current withdrawals, projected withdrawals, river flows and the future
2345 needs of water users; (7) methods for measurement and estimations of
2346 natural flows in Connecticut waterways in order to determine
2347 standards for stream flows that will protect the ecology of the state's
2348 rivers and streams; (8) the status of river flows and available data for
2349 measuring river flows; (9) the streamlining of the water diversion
2350 permit process; (10) coordination between the Departments of Energy

2351 and Environmental Protection [,] and Public Health [and Public Utility
2352 Control] in review of applications for water diversion; and (11) the
2353 procedure for coordination of planning of public water supply systems
2354 established in sections 25-33c to 25-33j, inclusive. Such study shall be
2355 conducted on both a regional and state-wide level.

2356 (c) The council may establish an advisory group that shall serve at
2357 the pleasure of the council. The advisory group shall be balanced
2358 between consumptive and nonconsumptive interests. The advisory
2359 group may include representatives of (1) regional and municipal water
2360 utilities, (2) investor-owned water utilities, (3) a wastewater system, (4)
2361 agricultural interests, (5) electric power generation interests, (6)
2362 business and industry interests, (7) environmental land protection
2363 interests, (8) environmental river protection interests, (9) boating
2364 interests, (10) fisheries interests, (11) recreational interests, (12)
2365 endangered species protection interests, and (13) members of academia
2366 with expertise in stream flow, public health and ecology.

2367 (d) The council shall, not later than January 1, 2002, and annually
2368 thereafter, report its preliminary findings and any proposed legislative
2369 changes to the joint standing committees of the General Assembly
2370 having cognizance of matters relating to public health, the
2371 environment and public utilities in accordance with section 11-4a,
2372 except that not later than February 1, 2004, the council shall report its
2373 recommendations in accordance with this subsection with regard to (1)
2374 a water allocation plan based on water budgets for each watershed, (2)
2375 funding for water budget planning, giving priority to the most highly
2376 stressed watersheds, and (3) the feasibility of merging the data
2377 collection and regulatory functions of the Department of Energy and
2378 Environmental Protection's inland water resources program and the
2379 Department of Public Health's water supplies section.

2380 Sec. 43. Section 25-157 of the general statutes is repealed and the
2381 following is substituted in lieu thereof (*Effective July 1, 2011*):

2382 Notwithstanding any other provision of the general statutes, no
2383 state agency, including, but not limited to, the Department of Energy
2384 and Environmental Protection and the Connecticut Siting Council
2385 within such department, shall consider or render a final decision for
2386 any applications relating to electric power line crossings, gas pipeline
2387 crossings or telecommunications crossings of Long Island Sound that
2388 have required or will require a certificate issued pursuant to section
2389 16-50k or approval by the Federal Energy Regulatory Commission
2390 including, but not limited to, electrical power line, gas pipeline or
2391 telecommunications applications that are pending or received after
2392 June 3, 2002, for a period of three years after June 3, 2002. Such
2393 moratorium shall not apply to applications relating solely to the
2394 maintenance, repair or replacement necessary for repair of electrical
2395 power lines, gas pipelines or telecommunications facilities currently
2396 used to provide service to customers located on islands or peninsulas
2397 off the Connecticut coast or harbors, embayments, tidal rivers, streams
2398 or creeks. An applicant may seek a waiver of such moratorium by
2399 submitting a petition to the following: The chairpersons and ranking
2400 members of the joint standing committees of the General Assembly
2401 having cognizance of matters relating to energy and the environment,
2402 the chairman of the Connecticut Siting Council, [the chairperson of the
2403 Public Utilities Control Authority,] the Commissioner of Energy and
2404 Environmental Protection, and any other state agency head with
2405 jurisdiction over the subject of the petition. Such persons may grant a
2406 petition for a waiver by unanimous consent. Nothing in section 16-
2407 244j, this section or sections 25-157a to 25-157c, inclusive, shall be
2408 construed to affect the project in the corridor across Long Island
2409 Sound, from Norwalk to Northport, New York, to replace the existing
2410 electric cables that cross the sound.

2411 Sec. 44. Section 28-24 of the general statutes is repealed and the
2412 following is substituted in lieu thereof (*Effective July 1, 2011*):

2413 (a) There is established an Office of State-Wide Emergency
2414 Telecommunications which shall be in the Division of Fire, Emergency

2415 and Building Services within the Department of Public Safety. The
2416 Office of State-Wide Emergency Telecommunications shall be
2417 responsible for developing and maintaining a state-wide emergency
2418 service telecommunications policy. In connection with said policy the
2419 office shall:

2420 (1) Develop a state-wide emergency service telecommunications
2421 plan specifying emergency police, fire and medical service
2422 telecommunications systems needed to provide coordinated
2423 emergency service telecommunications to all state residents, including
2424 the physically disabled;

2425 (2) Pursuant to the recommendations of the task force established by
2426 public act 95-318 to study enhanced 9-1-1 telecommunications services,
2427 and in accordance with regulations adopted by the Commissioner of
2428 Public Safety pursuant to subsection (b) of this section, develop and
2429 administer, by July 1, 1997, an enhanced emergency 9-1-1 program,
2430 which shall provide for: (A) The replacement of existing 9-1-1 terminal
2431 equipment for each public safety answering point; (B) the
2432 subsidization of regional public safety emergency telecommunications
2433 centers, with enhanced subsidization for municipalities with a
2434 population in excess of forty thousand; (C) the establishment of a
2435 transition grant program to encourage regionalization of public safety
2436 telecommunications centers; and (D) the establishment of a regional
2437 emergency telecommunications service credit in order to support
2438 regional dispatch services;

2439 (3) Provide technical telecommunications assistance to state and
2440 local police, fire and emergency medical service agencies;

2441 (4) Provide frequency coordination for such agencies;

2442 (5) Coordinate and assist in state-wide planning for 9-1-1 and E 9-1-
2443 1 systems;

2444 (6) Review and make recommendations concerning proposed

2445 legislation affecting emergency service telecommunications; and

2446 (7) Review and make recommendations to the General Assembly
2447 concerning emergency service telecommunications funding.

2448 (b) The Commissioner of Public Safety shall adopt regulations, in
2449 accordance with chapter 54, establishing eligibility standards for state
2450 financial assistance to local or regional police, fire and emergency
2451 medical service agencies providing emergency service
2452 telecommunications. Not later than April 1, 1997, the commissioner
2453 shall adopt regulations, in accordance with chapter 54, in order to
2454 carry out the provisions of subdivision (2) of subsection (a) of this
2455 section.

2456 (c) Within a time period determined by the commissioner to ensure
2457 the availability of funds for the fiscal year beginning July 1, 1997, to the
2458 regional public safety emergency telecommunications centers within
2459 the state, and not later than April first of each year thereafter, the
2460 commissioner shall determine the amount of funding needed for the
2461 development and administration of the enhanced emergency 9-1-1
2462 program. The commissioner shall specify the expenses associated with
2463 (1) the purchase, installation and maintenance of new public safety
2464 answering point terminal equipment, (2) the implementation of the
2465 subsidy program, as described in subdivision (2) of subsection (a) of
2466 this section, (3) the implementation of the transition grant program,
2467 described in subdivision (2) of subsection (a) of this section, (4) the
2468 implementation of the regional emergency telecommunications service
2469 credit, as described in subdivision (2) of subsection (a) of this section,
2470 provided, for the fiscal year ending June 30, 2001, and each fiscal year
2471 thereafter, such credit for coordinated medical emergency direction
2472 services as provided in regulations adopted under this section shall be
2473 based upon the factor of thirty cents per capita and shall not be
2474 reduced each year, (5) the training of personnel, as necessary, (6)
2475 recurring expenses and future capital costs associated with the
2476 telecommunications network used to provide emergency 9-1-1 service

2477 and the public safety services data networks, (7) for the fiscal year
2478 ending June 30, 2001, and each fiscal year thereafter, the collection,
2479 maintenance and reporting of emergency medical services data, as
2480 required under subparagraphs (A) and (B) of subdivision (8) of section
2481 19a-177, provided the amount of expenses specified under this
2482 subdivision shall not exceed two hundred fifty thousand dollars in any
2483 fiscal year, (8) for the fiscal year ending June 30, 2001, and each fiscal
2484 year thereafter, the initial training of emergency medical dispatch
2485 personnel, the provision of an emergency medical dispatch priority
2486 reference card set and emergency medical dispatch training and
2487 continuing education pursuant to subdivisions (3) and (4) of
2488 subsection (g) of section 28-25b, and (9) the administration of the
2489 enhanced emergency 9-1-1 program by the Office of State-Wide
2490 Emergency Telecommunications, as the commissioner determines to
2491 be reasonably necessary. The commissioner shall communicate the
2492 commissioner's findings to the [chairperson of the Public Utilities
2493 Control Authority] Commissioner of Energy and Environmental
2494 Protection not later than April first of each year.

2495 (d) The office may apply for, receive and distribute any federal
2496 funds available for emergency service telecommunications. The office
2497 shall deposit such federal funds in the Enhanced 9-1-1
2498 Telecommunications Fund established by section 28-30a.

2499 (e) The office shall work in cooperation with the Department of
2500 [Public Utility Control] Energy and Environmental Protection to carry
2501 out the purposes of this section.

2502 Sec. 45. Section 16a-48 of the general statutes is repealed and the
2503 following is substituted in lieu thereof (*Effective July 1, 2011*):

2504 (a) As used in this section:

2505 (1) ["Office" means the Office of Policy and Management]
2506 "Department" means the Department of Energy and Environmental
2507 Protection;

2508 (2) "Fluorescent lamp ballast" or "ballast" means a device designed
2509 to operate fluorescent lamps by providing a starting voltage and
2510 current and limiting the current during normal operation, but does not
2511 include such devices that have a dimming capability or are intended
2512 for use in ambient temperatures of zero degrees Fahrenheit or less or
2513 have a power factor of less than sixty-one hundredths for a single
2514 F40T12 lamp;

2515 (3) "F40T12 lamp" means a tubular fluorescent lamp that is a
2516 nominal forty-watt lamp, with a forty-eight-inch tube length and one
2517 and one-half inches in diameter;

2518 (4) "F96T12 lamp" means a tubular fluorescent lamp that is a
2519 nominal seventy-five-watt lamp with a ninety-six-inch tube length and
2520 one and one-half inches in diameter;

2521 (5) "Luminaire" means a complete lighting unit consisting of a
2522 fluorescent lamp, or lamps, together with parts designed to distribute
2523 the light, to position and protect such lamps, and to connect such
2524 lamps to the power supply;

2525 (6) "New product" means a product that is sold, offered for sale, or
2526 installed for the first time and specifically includes floor models and
2527 demonstration units;

2528 (7) ["Secretary" means the Secretary of the Office of Policy and
2529 Management] "Commissioner" means the Commissioner of Energy
2530 and Environmental Protection;

2531 (8) "State Building Code" means the building code adopted
2532 pursuant to section 29-252;

2533 (9) "Torchiere lighting fixture" means a portable electric lighting
2534 fixture with a reflector bowl giving light directed upward so as to give
2535 indirect illumination;

2536 (10) "Unit heater" means a self-contained, vented fan-type

2537 commercial space heater that uses natural gas or propane and that is
2538 designed to be installed without ducts within the heated space. "Unit
2539 heater" does not include a product regulated by federal standards
2540 pursuant to 42 USC 6291, as amended from time to time, a product that
2541 is a direct vent, forced flue heater with a sealed combustion burner, or
2542 any oil fired heating system;

2543 (11) "Transformer" means a device consisting of two or more coils of
2544 insulated wire that transfers alternating current by electromagnetic
2545 induction from one coil to another in order to change the original
2546 voltage or current value;

2547 (12) "Low-voltage dry-type transformer" means a transformer that:
2548 (A) Has an input voltage of six hundred volts or less; (B) is between
2549 fourteen kilovolt-amperes and two thousand five hundred one
2550 kilovolt-amperes in size; (C) is air-cooled; and (D) does not use oil as a
2551 coolant. "Low-voltage dry-type transformer" does not include such
2552 transformers excluded from the low-voltage dry-type distribution
2553 transformer definition contained in the California Code of Regulations,
2554 Title 20: Division 2, Chapter 4, Article 4: Appliance Efficiency
2555 Regulations;

2556 (13) "Pass-through cabinet" means a refrigerator or freezer with
2557 hinged or sliding doors on both the front and rear of the refrigerator or
2558 freezer;

2559 (14) "Reach-in cabinet" means a refrigerator, freezer, or combination
2560 thereof, with hinged or sliding doors or lids;

2561 (15) "Roll-in" or "roll-through cabinet" means a refrigerator or
2562 freezer with hinged or sliding doors that allows wheeled racks of
2563 product to be rolled into or through the refrigerator or freezer;

2564 (16) "Commercial refrigerators and freezers" means reach-in
2565 cabinets, pass-through cabinets, roll-in cabinets and roll-through
2566 cabinets that have less than eighty-five feet of capacity, which are

2567 designed for the refrigerated or frozen storage of food and food
2568 products;

2569 (17) "Traffic signal module" means a standard eight-inch or twelve-
2570 inch round traffic signal indicator consisting of a light source, lens and
2571 all parts necessary for operation and communication of movement
2572 messages to drivers through red, amber and green colors;

2573 (18) "Illuminated exit sign" means an internally illuminated sign that
2574 is designed to be permanently fixed in place and used to identify an
2575 exit by means of a light source that illuminates the sign or letters from
2576 within where the background of the exit sign is not transparent;

2577 (19) "Packaged air-conditioning equipment" means air-conditioning
2578 equipment that is built as a package and shipped as a whole to end-
2579 user sites;

2580 (20) "Large packaged air-conditioning equipment" means air-cooled
2581 packaged air-conditioning equipment having not less than two
2582 hundred forty thousand BTUs per hour of capacity;

2583 (21) "Commercial clothes washer" means a soft mount front-loading
2584 or soft mount top-loading clothes washer that is designed for use in
2585 (A) applications where the occupants of more than one household will
2586 be using it, such as in multifamily housing common areas and coin
2587 laundries; or (B) other commercial applications, if the clothes container
2588 compartment is no greater than three and one-half cubic feet for
2589 horizontal-axis clothes washers or no greater than four cubic feet for
2590 vertical-axis clothes washers;

2591 (22) "Energy efficiency ratio" means a measure of the relative
2592 efficiency of a heating or cooling appliance that is equal to the unit's
2593 output in BTUs per hour divided by its consumption of energy,
2594 measured in watts;

2595 (23) "Electricity ratio" means the ratio of furnace electricity use to

2596 total furnace energy use;

2597 (24) "Boiler" means a space heater that is a self-contained appliance
2598 for supplying steam or hot water primarily intended for space-heating.
2599 "Boiler" does not include hot water supply boilers;

2600 (25) "Central furnace" means a self-contained space heater designed
2601 to supply heated air through ducts of more than ten inches in length;

2602 (26) "Residential furnace or boiler" means a product that utilizes
2603 only single-phase electric current or single-phase electric current or DC
2604 current in conjunction with natural gas, propane or home heating oil
2605 and that (A) is designed to be the principal heating source for the
2606 living space of a residence; (B) is not contained within the same cabinet
2607 as a central air conditioner with a rated cooling capacity of not less
2608 than sixty-five thousand BTUs per hour; (C) is an electric central
2609 furnace, electric boiler, forced-air central furnace, gravity central
2610 furnace or low pressure steam or hot water boiler; and (D) has a heat
2611 input rate of less than three hundred thousand BTUs per hour for an
2612 electric boiler and low pressure steam or hot water boiler and less than
2613 two hundred twenty-five thousand BTUs per hour for a forced-air
2614 central furnace, gravity central furnace and electric central furnace;

2615 (27) "Furnace air handler" means the section of the furnace that
2616 includes the fan, blower and housing, generally upstream of the
2617 burners and heat exchanger. The furnace air handler may include a
2618 filter and a cooling coil;

2619 (28) "High-intensity discharge lamp" means a lamp in which light is
2620 produced by the passage of an electric current through a vapor or gas,
2621 the light-producing arc is stabilized by bulb wall temperature and the
2622 arc tube has a bulb wall loading in excess of three watts per square
2623 centimeter;

2624 (29) "Metal halide lamp" means a high intensity discharge lamp in
2625 which the major portion of the light is produced by radiation of metal

2626 halides and their products of dissociation, possibly in combination
2627 with metallic vapors;

2628 (30) "Metal halide lamp fixture" means a light fixture designed to be
2629 operated with a metal halide lamp and a ballast for a metal halide
2630 lamp;

2631 (31) "Probe start metal halide ballast" means a ballast used to
2632 operate metal halide lamps that does not contain an ignitor and that
2633 instead starts lamps by using a third starting electrode probe in the arc
2634 tube;

2635 (32) "Single voltage external AC to DC power supply" means a
2636 device that (A) is designed to convert line voltage AC input into lower
2637 voltage DC output; (B) is able to convert to only one DC output voltage
2638 at a time; (C) is sold with, or intended to be used with, a separate end-
2639 use product that constitutes the primary power load; (D) is contained
2640 within a separate physical enclosure from the end-use product; (E) is
2641 connected to the end-use product in a removable or hard-wired male
2642 and female electrical connection, cable, cord or other wiring; (F) does
2643 not have batteries or battery packs, including those that are removable
2644 or that physically attach directly to the power supply unit; (G) does not
2645 have a battery chemistry or type selector switch and indicator light or a
2646 battery chemistry or type selector switch and a state of charge meter;
2647 and (H) has a nameplate output power less than or equal to two
2648 hundred fifty watts;

2649 (33) "State regulated incandescent reflector lamp" means a lamp that
2650 is not colored or designed for rough or vibration service applications,
2651 has an inner reflective coating on the outer bulb to direct the light, has
2652 an E26 medium screw base, a rated voltage or voltage range that lies at
2653 least partially within one hundred fifteen to one hundred thirty volts,
2654 and that falls into one of the following categories: (A) A bulged
2655 reflector or elliptical reflector or a blown PAR bulb shape and that has
2656 a diameter that equals or exceeds two and one-quarter inches, or (B) a

2657 reflector, parabolic aluminized reflector, bulged reflector or similar
2658 bulb shape and that has a diameter of two and one-quarter to two and
2659 three-quarters inches. "State regulated incandescent reflector lamp"
2660 does not include ER30, BR30, BR40 and ER40 lamps of not more than
2661 fifty watts, BR30, BR40 and ER40 lamps of sixty-five watts and R20
2662 lamps of not more than forty-five watts;

2663 (34) "Bottle-type water dispenser" means a water dispenser that uses
2664 a bottle or reservoir as the source of potable water;

2665 (35) "Commercial hot food holding cabinet" means a heated, fully-
2666 enclosed compartment with one or more solid or partial glass doors
2667 that is designed to maintain the temperature of hot food that has been
2668 cooked in a separate appliance. "Commercial hot food holding cabinet"
2669 does not include heated glass merchandizing cabinets, drawer
2670 warmers or cook-and-hold appliances;

2671 (36) "Pool heater" means an appliance designed for heating
2672 nonpotable water contained at atmospheric pressure for swimming
2673 pools, spas, hot tubs and similar applications, including natural gas,
2674 heat pump, oil and electric resistance pool heaters;

2675 (37) "Portable electric spa" means a factory-built electric spa or hot
2676 tub supplied with equipment for heating and circulating water;

2677 (38) "Residential pool pump" means a pump used to circulate and
2678 filter pool water to maintain clarity and sanitation;

2679 (39) "Walk-in refrigerator" means a space refrigerated to
2680 temperatures at or above thirty-two degrees Fahrenheit that has a total
2681 chilled storage area of less than three thousand square feet, can be
2682 walked into and is designed for the refrigerated storage of food and
2683 food products. "Walk-in refrigerator" does not include refrigerated
2684 warehouses and products designed and marketed exclusively for
2685 medical, scientific or research purposes;

2686 (40) "Walk-in freezer" means a space refrigerated to temperatures
2687 below thirty-two degrees Fahrenheit that has a total chilled storage
2688 area of less than three thousand square feet, can be walked into and is
2689 designed for the frozen storage of food and food products. "Walk-in
2690 freezer" does not include refrigerated warehouses and products
2691 designed and marketed exclusively for medical, scientific or research
2692 purposes;

2693 (41) "Central air conditioner" means a central air conditioning model
2694 that consists of one or more factory-made assemblies, which normally
2695 include an evaporator or cooling coil, compressor and condenser.
2696 Central air conditioning models may provide the function of air
2697 cooling, air cleaning, dehumidifying or humidifying;

2698 (42) "Combination television" means a system in which a television
2699 or television monitor and an additional device or devices, including,
2700 but not limited to, a digital versatile disk player or video cassette
2701 recorder, are combined into a single unit in which the additional
2702 devices are included in the television casing;

2703 (43) "Compact audio player" means an integrated audio system
2704 encased in a single housing that includes an amplifier and radio tuner
2705 with attached or separable speakers and can reproduce audio from one
2706 or more of the following media: Magnetic tape, compact disk, digital
2707 versatile disk or flash memory. "Compact audio player" does not mean
2708 a product that can be independently powered by internal batteries, has
2709 a powered external satellite antenna or can provide a video output
2710 signal;

2711 (44) "Component television" means a television composed of two or
2712 more separate components, such as a separate display device and
2713 tuner, marketed and sold as a television under one model or system
2714 designation, which may have more than one power cord;

2715 (45) "Computer monitor" means an analog or digital device
2716 designed primarily for the display of computer generated signals and

2717 that is not marketed for use as a television;

2718 (46) "Digital versatile disc" means a laser-encoded plastic medium
2719 capable of storing a large amount of digital audio, video and computer
2720 data;

2721 (47) "Digital versatile disc player" means a commercially available
2722 electronic product encased in a single housing that includes an integral
2723 power supply and for which the sole purpose is the decoding of
2724 digitized video signals;

2725 (48) "Digital versatile disc recorder" means a commercially available
2726 electronic product encased in a single housing that includes an integral
2727 power supply and for which the sole purpose is the production or
2728 recording of digitized audio, video and computer signals on a digital
2729 versatile disk. "Digital versatile disk recorder" does not include a
2730 model that has an electronic programming guide function;

2731 (49) "Television" means an analog or digital device designed
2732 primarily for the display and reception of a terrestrial, satellite, cable,
2733 internet protocol television or other broadcast or recorded
2734 transmission of analog or digital video and audio signals. "Television"
2735 includes combination televisions, television monitors, component
2736 televisions and any unit that is marketed to consumers as a television
2737 but does not include a computer monitor;

2738 (50) "Television monitor" means a television that does not have an
2739 internal tuner/receiver or playback device.

2740 (b) The provisions of this section apply to the testing, certification
2741 and enforcement of efficiency standards for the following types of new
2742 products sold, offered for sale or installed in the state: (1) Commercial
2743 clothes washers; (2) commercial refrigerators and freezers; (3)
2744 illuminated exit signs; (4) large packaged air-conditioning equipment;
2745 (5) low voltage dry-type distribution transformers; (6) torchiere
2746 lighting fixtures; (7) traffic signal modules; (8) unit heaters; (9)

2747 residential furnaces and boilers; (10) residential pool pumps; (11) metal
2748 halide lamp fixtures; (12) single voltage external AC to DC power
2749 supplies; (13) state regulated incandescent reflector lamps; (14) bottle-
2750 type water dispensers; (15) commercial hot food holding cabinets; (16)
2751 portable electric spas; (17) walk-in refrigerators and walk-in freezers;
2752 (18) pool heaters; [and] (19) compact audio players; (20) televisions;
2753 (21) digital versatile disc players; (22) digital versatile disc recorders;
2754 and (23) any other products as may be designated by the office in
2755 accordance with subdivision (3) of subsection (d) of this section.

2756 (c) The provisions of this section do not apply to (1) new products
2757 manufactured in the state and sold outside the state, (2) new products
2758 manufactured outside the state and sold at wholesale inside the state
2759 for final retail sale and installation outside the state, (3) products
2760 installed in mobile manufactured homes at the time of construction, or
2761 (4) products designed expressly for installation and use in recreational
2762 vehicles.

2763 (d) (1) The [office, in consultation with the Department of Public
2764 Utility Control,] department shall adopt regulations, in accordance
2765 with the provisions of chapter 54, to implement the provisions of this
2766 section and to establish minimum energy efficiency standards for the
2767 types of new products set forth in subsection (b) of this section. The
2768 regulations shall provide for the following minimum energy efficiency
2769 standards:

2770 (A) Commercial clothes washers shall meet the requirements shown
2771 in Table P-3 of section 1605.3 of the California Code of Regulations,
2772 Title 20: Division 2, Chapter 4, Article 4;

2773 (B) Commercial refrigerators and freezers shall meet the August 1,
2774 2004, requirements shown in Table A-6 of said California regulation;

2775 (C) Illuminated exit signs shall meet the version 2.0 product
2776 specification of the "Energy Star Program Requirements for Exit Signs"
2777 developed by the United States Environmental Protection Agency;

2778 (D) Large packaged air-conditioning equipment having not more
2779 than seven hundred sixty thousand BTUs per hour of capacity shall
2780 meet a minimum energy efficiency ratio of 10.0 for units using both
2781 electric heat and air conditioning or units solely using electric air
2782 conditioning, and 9.8 for units using both natural gas heat and electric
2783 air conditioning;

2784 (E) Large packaged air-conditioning equipment having not less than
2785 seven hundred sixty-one thousand BTUs per hour of capacity shall
2786 meet a minimum energy efficiency ratio of 9.7 for units using both
2787 electric heat and air conditioning or units solely using electric air
2788 conditioning, and 9.5 for units using both natural gas heat and electric
2789 air conditioning;

2790 (F) Low voltage dry-type distribution transformers shall meet or
2791 exceed the energy efficiency values shown in Table 4-2 of the National
2792 Electrical Manufacturers Association Standard TP-1-2002;

2793 (G) Torchiere lighting fixtures shall not consume more than one
2794 hundred ninety watts and shall not be capable of operating with lamps
2795 that total more than one hundred ninety watts;

2796 (H) Traffic signal modules shall meet the product specification of
2797 the "Energy Star Program Requirements for Traffic Signals" developed
2798 by the United States Environmental Protection Agency that took effect
2799 in February, 2001, except where the department, in consultation with
2800 the Commissioner of Transportation, determines that such
2801 specification would compromise safe signal operation;

2802 (I) Unit heaters shall not have pilot lights and shall have either
2803 power venting or an automatic flue damper;

2804 (J) On or after January 1, 2009, residential furnaces and boilers
2805 purchased by the state shall meet or exceed the following annual fuel
2806 utilization efficiency: (i) For gas and propane furnaces, ninety per cent
2807 annual fuel utilization efficiency, (ii) for oil furnaces, eighty-three per

2808 cent annual fuel utilization efficiency, (iii) for gas and propane hot
2809 water boilers, eighty-four per cent annual fuel utilization efficiency,
2810 (iv) for oil-fired hot water boilers, eighty-four per cent annual fuel
2811 utilization efficiency, (v) for gas and propane steam boilers, eighty-two
2812 per cent annual fuel utilization efficiency, (vi) for oil-fired steam
2813 boilers, eighty-two per cent annual fuel utilization efficiency, and (vii)
2814 for furnaces with furnace air handlers, an electricity ratio of not more
2815 than 2.0, except air handlers for oil furnaces with a capacity of less than
2816 ninety-four thousand BTUs per hour shall have an electricity ratio of
2817 2.3 or less;

2818 (K) On or after January 1, 2010, metal halide lamp fixtures designed
2819 to be operated with lamps rated greater than or equal to one hundred
2820 fifty watts but less than or equal to five hundred watts shall not
2821 contain a probe-start metal halide lamp ballast;

2822 (L) Single-voltage external AC to DC power supplies manufactured
2823 on or after January 1, 2008, shall meet the energy efficiency standards
2824 of table U-1 of section 1605.3 of the January 2006 California Code of
2825 Regulations, Title 20, Division 2, Chapter 4, Article 4: Appliance
2826 Efficiency Regulations. This standard applies to single voltage AC to
2827 DC power supplies that are sold individually and to those that are sold
2828 as a component of or in conjunction with another product. This
2829 standard shall not apply to single voltage external AC to DC power
2830 supplies sold with products subject to certification by the United States
2831 Food and Drug Administration. A single-voltage external AC to DC
2832 power supply that is made available by a manufacturer directly to a
2833 consumer or to a service or repair facility after and separate from the
2834 original sale of the product requiring the power supply as a service
2835 part or spare part shall not be required to meet the standards in said
2836 table U-1 until five years after the effective dates indicated in the table;

2837 (M) On or after January 1, 2009, state regulated incandescent
2838 reflector lamps shall be manufactured to meet the minimum average
2839 lamp efficacy requirements for federally-regulated incandescent

2840 reflector lamps contained in 42 USC 6295(i)(1)(A). Each lamp shall
2841 indicate the date of manufacture;

2842 (N) On or after January 1, 2009, bottle-type water dispensers,
2843 commercial hot food holding cabinets, portable electric spas, walk-in
2844 refrigerators and walk-in freezers shall meet the efficiency
2845 requirements of section 1605.3 of the January 2006 California Code of
2846 Regulations, Title 20, Division 2, Chapter 4, Article 4: Appliance
2847 Efficiency Regulations. On or after January 1, 2010, residential pool
2848 pumps shall meet said efficiency requirements;

2849 (O) On or after January 1, 2009, pool heaters shall meet the
2850 efficiency requirements of sections 1605.1 and 1605.3 of the January
2851 2006 California Code of Regulations, Title 20, Division 2, Chapter 4,
2852 Article 4: Appliance Efficiency Regulations;

2853 (P) On or after January 1, 2014, compact audio players, digital
2854 versatile disc players and digital versatile disc recorders shall meet the
2855 requirements shown in Table V-1 of Section 1605.3 of the November
2856 2009 amendments to the California Code of Regulations, Title 20,
2857 Division 2, Chapter 4, Article 4;

2858 (Q) On or after January 1, 2014, televisions manufactured on or after
2859 the effective date of this section shall meet the requirements shown in
2860 Table V-2 of Section 1605.3 of the November 2009 amendments to the
2861 California Code of Regulations, Title 20, Division 2, Chapter 4, Article
2862 4;

2863 (R) In addition to the requirements of subparagraph (Q) of this
2864 subdivision, televisions manufactured on or after January 1, 2014, shall
2865 meet the efficiency requirements of Sections 1605.3(v)(3)(A),
2866 1605.3(v)(3)(B) and 1605.3(v)(3)(C) of the November 2009 amendments
2867 to the California Code of Regulations, Title 20, Division 2, Chapter 4,
2868 Article 4.

2869 (2) Such efficiency standards, where in conflict with the State

2870 Building Code, shall take precedence over the standards contained in
2871 the Building Code. Not later than July 1, 2007, and biennially
2872 thereafter, the [office, in consultation with the Department of Public
2873 Utility Control,] department shall review and increase the level of such
2874 efficiency standards by adopting regulations in accordance with the
2875 provisions of chapter 54 upon a determination that increased efficiency
2876 standards would serve to promote energy conservation in the state and
2877 would be cost-effective for consumers who purchase and use such new
2878 products, provided no such increased efficiency standards shall
2879 become effective within one year following the adoption of any
2880 amended regulations providing for such increased efficiency
2881 standards.

2882 (3) (A) The [office, in consultation with the Department of Public
2883 Utility Control,] department shall adopt regulations, in accordance
2884 with the provisions of chapter 54, to designate additional products to
2885 be subject to the provisions of this section and to establish efficiency
2886 standards for such products upon a determination that such efficiency
2887 standards [(A)] (i) would serve to promote energy conservation in the
2888 state, [(B)] (ii) would be cost-effective for consumers who purchase and
2889 use such new products, and [(C)] (iii) that multiple products are
2890 available which meet such standards, provided no such efficiency
2891 standards shall become effective within one year following their
2892 adoption pursuant to this subdivision.

2893 (B) The department, in consultation with the Multi-State Appliance
2894 Standards Collaborative, shall identify additional appliance and
2895 equipment efficiency standards. Not later than six months after
2896 adoption of an efficiency standard by a cooperative member state
2897 regarding a product for which no equivalent Connecticut or federal
2898 standard currently exists, the office shall adopt regulations in
2899 accordance with the provisions of chapter 54 adopting such efficiency
2900 standard unless the office makes a specific finding that such standard
2901 does not meet the criteria in subparagraph (A) of this subdivision.

2902 (e) On or after July 1, 2006, except for commercial clothes washers,
2903 for which the date shall be July 1, 2007, commercial refrigerators and
2904 freezers, for which the date shall be July 1, 2008, and large packaged
2905 air-conditioning equipment, for which the date shall be July 1, 2009, no
2906 new product of a type set forth in subsection (b) of this section or
2907 designated by the office may be sold, offered for sale, or installed in
2908 the state unless the energy efficiency of the new product meets or
2909 exceeds the efficiency standards set forth in such regulations adopted
2910 pursuant to subsection (d) of this section.

2911 (f) The [office, in consultation with the Department of Public Utility
2912 Control,] department shall adopt procedures for testing the energy
2913 efficiency of the new products set forth in subsection (b) of this section
2914 or designated by the department if such procedures are not provided
2915 for in the State Building Code. The [office] department shall use United
2916 States Department of Energy approved test methods, or in the absence
2917 of such test methods, other appropriate nationally recognized test
2918 methods. The manufacturers of such products shall cause samples of
2919 such products to be tested in accordance with the test procedures
2920 adopted pursuant to this subsection or those specified in the State
2921 Building Code.

2922 (g) Manufacturers of new products set forth in subsection (b) of this
2923 section or designated by the [office] department shall certify to the
2924 [secretary] commissioner that such products are in compliance with
2925 the provisions of this section, except that certification is not required
2926 for single voltage external AC to DC power supplies and walk-in
2927 refrigerators and walk-in freezers. All single voltage external AC to DC
2928 power supplies shall be labeled as described in the January 2006
2929 California Code of Regulations, Title 20, Section 1607 (9). The [office, in
2930 consultation with the Department of Public Utility Control,]
2931 department shall promulgate regulations governing the certification of
2932 such products. The [secretary] commissioner shall publish an annual
2933 list of such products.

2934 (h) The Attorney General may institute proceedings to enforce the
2935 provisions of this section. Any person who violates any provision of
2936 this section shall be subject to a civil penalty of not more than two
2937 hundred fifty dollars. Each violation of this section shall constitute a
2938 separate offense, and each day that such violation continues shall
2939 constitute a separate offense.

2940 Sec. 46. Section 16-245m of the general statutes is repealed and the
2941 following is substituted in lieu thereof (*Effective July 1, 2011*):

2942 (a) (1) On and after January 1, 2000, the Department of [Public
2943 Utility Control] Energy and Environmental Protection's Bureau of
2944 Public Utility shall assess or cause to be assessed a charge of three mills
2945 per kilowatt hour of electricity sold to each end use customer of an
2946 electric distribution company to be used to implement the program as
2947 provided in this section for conservation and load management
2948 programs but not for the amortization of costs incurred prior to July 1,
2949 1997, for such conservation and load management programs.

2950 (2) Notwithstanding the provisions of this section, receipts from
2951 such charge shall be disbursed to the resources of the General Fund
2952 during the period from July 1, 2003, to June 30, 2005, unless the
2953 department shall, on or before October 30, 2003, issue a financing order
2954 for each affected electric distribution company in accordance with
2955 sections 16-245e to 16-245k, inclusive, to sustain funding of
2956 conservation and load management programs by substituting an
2957 equivalent amount, as determined by the department in such financing
2958 order, of proceeds of rate reduction bonds for disbursement to the
2959 resources of the General Fund during the period from July 1, 2003, to
2960 June 30, 2005. The department may authorize in such financing order
2961 the issuance of rate reduction bonds that substitute for disbursement to
2962 the General Fund for receipts of both the charge under this subsection
2963 and under subsection (b) of section 16-245n, as amended by this act,
2964 and also may, in its discretion, authorize the issuance of rate reduction
2965 bonds under this subsection and subsection (b) of section 16-245n, as

2966 amended by this act, that relate to more than one electric distribution
2967 company. The department shall, in such financing order or other
2968 appropriate order, offset any increase in the competitive transition
2969 assessment necessary to pay principal, premium, if any, interest and
2970 expenses of the issuance of such rate reduction bonds by making an
2971 equivalent reduction to the charge imposed under this subsection,
2972 provided any failure to offset all or any portion of such increase in the
2973 competitive transition assessment shall not affect the need to
2974 implement the full amount of such increase as required by this
2975 subsection and by sections 16-245e to 16-245k, inclusive. Such
2976 financing order shall also provide if the rate reduction bonds are not
2977 issued, any unrecovered funds expended and committed by the
2978 electric distribution companies for conservation and load management
2979 programs, provided such expenditures were approved by the
2980 department after August 20, 2003, and prior to the date of
2981 determination that the rate reduction bonds cannot be issued, shall be
2982 recovered by the companies from their respective competitive
2983 transition assessment or systems benefits charge but such expenditures
2984 shall not exceed four million dollars per month. All receipts from the
2985 remaining charge imposed under this subsection, after reduction of
2986 such charge to offset the increase in the competitive transition
2987 assessment as provided in this subsection, shall be disbursed to the
2988 Energy Conservation and Load Management Fund commencing as of
2989 July 1, 2003. Any increase in the competitive transition assessment or
2990 decrease in the conservation and load management component of an
2991 electric distribution company's rates resulting from the issuance of or
2992 obligations under rate reduction bonds shall be included as rate
2993 adjustments on customer bills.

2994 (3) In the financing order authorizing the economic recovery
2995 revenue bonds, or other appropriate order, the department shall
2996 reduce the charge assessed by subdivision (1) of this subsection by
2997 thirty-five per cent. Such reduction shall become effective on April 4,
2998 2012, or such earlier date set by the department in the financing order.

2999 An amount equivalent to such reduction shall constitute a portion of
3000 the competitive transition assessment in respect of the economic
3001 recovery revenue bonds, provided any failure to offset all or any
3002 portion of such competitive transition assessment shall not affect the
3003 requirement to implement the full amount of such competitive
3004 transition assessment, as required by sections 16-245e to 16-245k,
3005 inclusive. All receipts from the remaining charge, after reduction of
3006 such charge as provided in this subsection, shall be disbursed to the
3007 Energy Conservation and Load Management Fund. The competitive
3008 transition assessment in respect to the economic recovery revenue
3009 bonds or the decrease in the conservation and load management
3010 component of an electric distribution company's rates resulting from
3011 the issuance of or obligations under the economic recovery revenue
3012 bonds shall be included as rate adjustments on customer bills.

3013 (b) The electric distribution company shall establish an Energy
3014 Conservation and Load Management Fund which shall be held
3015 separate and apart from all other funds or accounts. Receipts from the
3016 charge imposed under subsection (a) of this section shall be deposited
3017 into the fund. Any balance remaining in the fund at the end of any
3018 fiscal year shall be carried forward in the fiscal year next succeeding.
3019 Disbursements from the fund by electric distribution companies to
3020 carry out the plan developed under subsection (d) of this section shall
3021 be authorized by the Department of [Public Utility Control] Energy
3022 and Environmental Protection upon its approval of such plan.

3023 (c) The Department of [Public Utility Control] Energy and
3024 Environmental Protection shall appoint and convene an Energy
3025 Conservation Management Board which shall include representatives
3026 of: (1) An environmental group knowledgeable in energy conservation
3027 program collaboratives; (2) the Office of Consumer Counsel; (3) the
3028 Attorney General; (4) the Department of Energy and Environmental
3029 Protection; (5) the electric distribution companies in whose territories
3030 the activities take place for such programs; (6) a state-wide
3031 manufacturing association; (7) a chamber of commerce; (8) a state-wide

3032 business association; (9) a state-wide retail organization; (10) a
3033 representative of a municipal electric energy cooperative created
3034 pursuant to chapter 101a; (11) two representatives selected by the gas
3035 companies in this state; and (12) residential customers. Such members
3036 shall serve for a period of five years and may be reappointed.
3037 Representatives of the gas companies shall not vote on matters
3038 unrelated to gas conservation. Representatives of the electric
3039 distribution companies and the municipal electric energy cooperative
3040 shall not vote on matters unrelated to electricity conservation.

3041 (d) (1) The Energy Conservation Management Board shall advise
3042 and assist the electric distribution companies in the development and
3043 implementation of a comprehensive plan, which plan shall be
3044 approved by the Department of [Public Utility Control] Energy and
3045 Environmental Protection, to implement cost-effective energy
3046 conservation programs and market transformation initiatives. Each
3047 program contained in the plan shall be reviewed by the electric
3048 distribution company and either accepted or rejected by the Energy
3049 Conservation Management Board prior to submission to the
3050 department for approval. The Energy Conservation Management
3051 Board shall, as part of its review, examine opportunities to offer joint
3052 programs providing similar efficiency measures that save more than
3053 one fuel resource or otherwise to coordinate programs targeted at
3054 saving more than one fuel resource. Any costs for joint programs shall
3055 be allocated equitably among the conservation programs. The Energy
3056 Conservation Management Board shall give preference to projects that
3057 maximize the reduction of federally mandated congestion charges. The
3058 Department of [Public Utility Control] Energy and Environmental
3059 Protection shall, in an uncontested proceeding during which the
3060 department may hold a public hearing, approve, modify or reject the
3061 comprehensive plan prepared pursuant to this subsection.

3062 (2) There shall be a joint committee of the Energy Conservation
3063 Management Board and the Renewable Energy Investments Board.
3064 The board and the advisory committee shall each appoint members to

3065 such joint committee. The joint committee shall examine opportunities
3066 to coordinate the programs and activities funded by the Renewable
3067 Energy Investment Fund pursuant to section 16-245n, as amended by
3068 this act, with the programs and activities contained in the plan
3069 developed under this subsection to reduce the long-term cost,
3070 environmental impacts and security risks of energy in the state. Such
3071 joint committee shall hold its first meeting on or before August 1, 2005.

3072 (3) Programs included in the plan developed under subdivision (1)
3073 of this subsection shall be screened through cost-effectiveness testing
3074 which compares the value and payback period of program benefits to
3075 program costs to ensure that programs are designed to obtain energy
3076 savings and system benefits, including mitigation of federally
3077 mandated congestion charges, whose value is greater than the costs of
3078 the programs. Cost-effectiveness testing shall utilize available
3079 information obtained from real-time monitoring systems to ensure
3080 accurate validation and verification of energy use. Such testing shall
3081 include an analysis of the effects of investments on increasing the
3082 state's load factor. Program cost-effectiveness shall be reviewed
3083 annually, or otherwise as is practicable. If a program is determined to
3084 fail the cost-effectiveness test as part of the review process, it shall
3085 either be modified to meet the test or shall be terminated. On or before
3086 March 1, 2005, and on or before March first annually thereafter, the
3087 board shall provide a report, in accordance with the provisions of
3088 section 11-4a, to the joint standing committees of the General
3089 Assembly having cognizance of matters relating to energy and the
3090 environment (A) that documents expenditures and fund balances and
3091 evaluates the cost-effectiveness of such programs conducted in the
3092 preceding year, and (B) that documents the extent to and manner in
3093 which the programs of such board collaborated and cooperated with
3094 programs, established under section 7-233y, of municipal electric
3095 energy cooperatives. To maximize the reduction of federally mandated
3096 congestion charges, programs in the plan may allow for
3097 disproportionate allocations between the amount of contributions to

3098 the Energy Conservation and Load Management Funds by a certain
3099 rate class and the programs that benefit such a rate class. Before
3100 conducting such evaluation, the board shall consult with the
3101 Renewable Energy Investments Board. The report shall include a
3102 description of the activities undertaken during the reporting period
3103 jointly or in collaboration with the Renewable Energy Investment
3104 Fund established pursuant to subsection (c) of section 16-245n, as
3105 amended by this act.

3106 (4) Programs included in the plan developed under subdivision (1)
3107 of this subsection may include, but not be limited to: (A) Conservation
3108 and load management programs, including programs that benefit low-
3109 income individuals; (B) research, development and commercialization
3110 of products or processes which are more energy-efficient than those
3111 generally available; (C) development of markets for such products and
3112 processes; (D) support for energy use assessment, real-time monitoring
3113 systems, engineering studies and services related to new construction
3114 or major building renovation; (E) the design, manufacture,
3115 commercialization and purchase of energy-efficient appliances and
3116 heating, air conditioning and lighting devices; (F) program planning
3117 and evaluation; (G) indoor air quality programs relating to energy
3118 conservation; (H) joint fuel conservation initiatives programs targeted
3119 at reducing consumption of more than one fuel resource; (I) public
3120 education regarding conservation; and (J) the demand-side technology
3121 programs recommended by the procurement plan approved by the
3122 Department of [Public Utility Control] Energy and Environmental
3123 Protection pursuant to section 16a-3a. Such support may be by direct
3124 funding, manufacturers' rebates, sale price and loan subsidies, leases
3125 and promotional and educational activities. The plan shall also provide
3126 for expenditures by the Energy Conservation Management Board for
3127 the retention of expert consultants and reasonable administrative costs
3128 provided such consultants shall not be employed by, or have any
3129 contractual relationship with, an electric distribution company. Such
3130 costs shall not exceed five per cent of the total revenue collected from

3131 the assessment.

3132 (e) Notwithstanding the provisions of subsections (a) to (d),
3133 inclusive, of this section, the Department of Public Utility Control shall
3134 authorize the disbursement of a total of one million dollars in each
3135 month, commencing with July, 2003, and ending with July, 2005, from
3136 the Energy Conservation and Load Management Funds established
3137 pursuant to said subsections. The amount disbursed from each Energy
3138 Conservation and Load Management Fund shall be proportionately
3139 based on the receipts received by each fund. Such disbursements shall
3140 be deposited in the General Fund.

3141 (f) No later than December 31, 2006, and no later than December
3142 thirty-first every five years thereafter, the Energy Conservation
3143 Management Board shall, after consulting with the Renewable Energy
3144 Investments Board, conduct an evaluation of the performance of the
3145 programs and activities of the fund and submit a report, in accordance
3146 with the provisions of section 11-4a, of the evaluation to the joint
3147 standing committee of the General Assembly having cognizance of
3148 matters relating to energy.

3149 (g) Repealed by P.A. 06-186, S. 91, effective July 1, 2006.

3150 Sec. 47. Section 16-245n of the general statutes is repealed and the
3151 following is substituted in lieu thereof (*Effective July 1, 2011*):

3152 (a) For purposes of this section, "renewable energy" means solar
3153 photovoltaic energy, solar thermal, geothermal energy, wind, ocean
3154 thermal energy, wave or tidal energy, fuel cells, landfill gas,
3155 hydropower that meets the low-impact standards of the Low-Impact
3156 Hydropower Institute, hydrogen production and hydrogen conversion
3157 technologies, low emission advanced biomass conversion technologies,
3158 alternative fuels, used for electricity generation including ethanol,
3159 biodiesel or other fuel produced in Connecticut and derived from
3160 agricultural produce, food waste or waste vegetable oil, provided the
3161 Commissioner of Energy and Environmental Protection determines

3162 that such fuels provide net reductions in greenhouse gas emissions
3163 and fossil fuel consumption, usable electricity from combined heat and
3164 power systems with waste heat recovery systems, thermal storage
3165 systems and other energy resources and emerging technologies which
3166 have significant potential for commercialization and which do not
3167 involve the combustion of coal, petroleum or petroleum products,
3168 municipal solid waste or nuclear fission.

3169 (b) On and after July 1, 2004, the Department of [Public Utility
3170 Control] Energy and Environmental Protection's Bureau of Public
3171 Utility shall assess or cause to be assessed a charge of not less than one
3172 mill per kilowatt hour charged to each end use customer of electric
3173 services in this state which shall be deposited into the Renewable
3174 Energy Investment Fund established under subsection (c) of this
3175 section. Notwithstanding the provisions of this section, receipts from
3176 such charges shall be disbursed to the resources of the General Fund
3177 during the period from July 1, 2003, to June 30, 2005, unless the
3178 department shall, on or before October 30, 2003, issue a financing order
3179 for each affected distribution company in accordance with sections 16-
3180 245e to 16-245k, inclusive, to sustain funding of renewable energy
3181 investment programs by substituting an equivalent amount, as
3182 determined by the department in such financing order, of proceeds of
3183 rate reduction bonds for disbursement to the resources of the General
3184 Fund during the period from July 1, 2003, to June 30, 2005. The
3185 department may authorize in such financing order the issuance of rate
3186 reduction bonds that substitute for disbursement to the General Fund
3187 for receipts of both charges under this subsection and subsection (a) of
3188 section 16-245m, as amended by this act, and also may in its discretion
3189 authorize the issuance of rate reduction bonds under this subsection
3190 and subsection (a) of section 16-245m, as amended by this act, that
3191 relate to more than one electric distribution company. The department
3192 shall, in such financing order or other appropriate order, offset any
3193 increase in the competitive transition assessment necessary to pay
3194 principal, premium, if any, interest and expenses of the issuance of

3195 such rate reduction bonds by making an equivalent reduction to the
3196 charges imposed under this subsection, provided any failure to offset
3197 all or any portion of such increase in the competitive transition
3198 assessment shall not affect the need to implement the full amount of
3199 such increase as required by this subsection and sections 16-245e to 16-
3200 245k, inclusive. Such financing order shall also provide if the rate
3201 reduction bonds are not issued, any unrecovered funds expended and
3202 committed by the electric distribution companies for renewable
3203 resource investment through deposits into the Renewable Energy
3204 Investment Fund, provided such expenditures were approved by the
3205 department following August 20, 2003, and prior to the date of
3206 determination that the rate reduction bonds cannot be issued, shall be
3207 recovered by the companies from their respective competitive
3208 transition assessment or systems benefits charge except that such
3209 expenditures shall not exceed one million dollars per month. All
3210 receipts from the remaining charges imposed under this subsection,
3211 after reduction of such charges to offset the increase in the competitive
3212 transition assessment as provided in this subsection, shall be disbursed
3213 to the Renewable Energy Investment Fund commencing as of July 1,
3214 2003. Any increase in the competitive transition assessment or decrease
3215 in the renewable energy investment component of an electric
3216 distribution company's rates resulting from the issuance of or
3217 obligations under rate reduction bonds shall be included as rate
3218 adjustments on customer bills.

3219 (c) There is hereby created a Renewable Energy Investment Fund,
3220 [which shall be within Connecticut Innovations, Incorporated for
3221 administrative purposes only.] The fund may receive any amount
3222 required by law to be deposited into the fund and may receive any
3223 federal funds as may become available to the state for renewable
3224 energy investments. Upon authorization of the Renewable Energy
3225 Investments Board established pursuant to subsection (d) of this
3226 section, [Connecticut Innovations, Incorporated,] the department may
3227 use any amount in said fund for expenditures that promote investment

3228 in renewable energy sources in accordance with a comprehensive plan
3229 developed by it to foster the growth, development and
3230 commercialization of renewable energy sources, related enterprises
3231 and stimulate demand for renewable energy and deployment of
3232 renewable energy sources that serve end use customers in this state
3233 and for the further purpose of supporting operational demonstration
3234 projects for advanced technologies that reduce energy use from
3235 traditional sources. Such expenditures may include, but not be limited
3236 to, reimbursement for services provided by the administrator of the
3237 fund including a management fee, disbursements from the fund to
3238 develop and carry out the plan developed pursuant to subsection (d)
3239 of this section, grants, direct or equity investments, contracts or other
3240 actions which support research, development, manufacture,
3241 commercialization, deployment and installation of renewable energy
3242 technologies, and actions which expand the expertise of individuals,
3243 businesses and lending institutions with regard to renewable energy
3244 technologies.

3245 (d) There is hereby created a Renewable Energy Investments Board
3246 to act on matters related to the Renewable Energy Investment Fund,
3247 including, but not limited to, development of a comprehensive plan
3248 and expenditure of funds. The Renewable Energy Investments Board
3249 shall, in such plan, give preference to projects that maximize the
3250 reduction of federally mandated congestion charges. The Renewable
3251 Energy Investments Board shall make a draft of the comprehensive
3252 plan available for public comment for not less than thirty days. The
3253 board shall conduct three public hearings in three different regions of
3254 the state on the draft comprehensive plan and shall include a
3255 summarization of all public comments received at said public hearings
3256 in the final comprehensive plan approved by the board. The board
3257 shall provide a copy of the comprehensive plan, in accordance with the
3258 provisions of section 11-4a, to the joint standing committees of the
3259 General Assembly having cognizance of matters relating to energy and
3260 commerce. The Department of [Public Utility Control] Energy and

3261 Environmental Protection shall, in an uncontested proceeding, during
3262 which the department may hold a public hearing, approve, modify or
3263 reject the comprehensive plan prepared pursuant to this subsection.

3264 (e) The Renewable Energy Investments Board shall include not
3265 more than fifteen individuals with knowledge and experience in
3266 matters related to the purpose and activities of the Renewable Energy
3267 Investment Fund. The board shall consist of the following members:
3268 (1) One person with expertise regarding renewable energy resources
3269 appointed by the speaker of the House of Representatives; (2) one
3270 person representing a state or regional organization primarily
3271 concerned with environmental protection appointed by the president
3272 pro tempore of the Senate; (3) one person with experience in business
3273 or commercial investments appointed by the majority leader of the
3274 House of Representatives; (4) one person representing a state or
3275 regional organization primarily concerned with environmental
3276 protection appointed by the majority leader of the Senate; (5) one
3277 person with experience in business or commercial investments
3278 appointed by the minority leader of the House of Representatives; (6)
3279 the Commissioner of Emergency Management and Homeland Security
3280 or the commissioner's designee; (7) one person with expertise
3281 regarding renewable energy resources appointed by the Governor; (8)
3282 two persons with experience in business or commercial investments
3283 appointed by the board of directors of Connecticut Innovations,
3284 Incorporated; (9) a representative of a state-wide business association,
3285 manufacturing association or chamber of commerce appointed by the
3286 minority leader of the Senate; (10) the Consumer Counsel; (11) the
3287 Secretary of the Office of Policy and Management or the secretary's
3288 designee; (12) the Commissioner of Energy and Environmental
3289 Protection or the commissioner's designee; (13) a representative of
3290 organized labor appointed by the Governor; and (14) a representative
3291 of residential customers or low-income customers appointed by
3292 Governor. On a biennial basis, the board shall elect a chairperson and
3293 vice-chairperson from among its members and shall adopt such

3294 bylaws and procedures it deems necessary to carry out its functions.
3295 The board may establish committees and subcommittees as necessary
3296 to conduct its business.

3297 (f) The board shall issue annually a report to the Department of
3298 [Public Utility Control] Energy and Environmental Protection
3299 reviewing the activities of the Renewable Energy Investment Fund in
3300 detail, including the condominium renewable energy grant program
3301 established pursuant to section 65 of this act, and shall provide a copy
3302 of such report, in accordance with the provisions of section 11-4a, to
3303 the joint standing committees of the General Assembly having
3304 cognizance of matters relating to energy and commerce and the Office
3305 of Consumer Counsel. The report shall include a description of the
3306 programs and activities undertaken during the reporting period jointly
3307 or in collaboration with the Energy Conservation and Load
3308 Management Funds established pursuant to section 16-245m, as
3309 amended by this act.

3310 (g) There shall be a joint committee of the Energy Conservation
3311 Management Board and the Renewable Energy Investments Board, as
3312 provided in subdivision (2) of subsection (d) of section 16-245m, as
3313 amended by this act.

3314 (h) No later than December 31, 2006, and no later than December
3315 thirty-first every five years thereafter, the board shall, after consulting
3316 with the Energy Conservation Management Board, conduct an
3317 evaluation of the performance of the programs and activities of the
3318 fund and submit a report, in accordance with the provisions of section
3319 11-4a, of the evaluation to the joint standing committees of the General
3320 Assembly having cognizance of matters relating to energy and
3321 commerce.

3322 Sec. 48. Section 16a-3a of the general statutes is repealed and the
3323 following is substituted in lieu thereof (*Effective July 1, 2011*):

3324 (a) The [electric distribution companies, in consultation with the

3325 Connecticut Energy Advisory Board, established pursuant to section
3326 16a-3,] Department of Energy and Environmental Protection shall
3327 review the state's energy and capacity resource assessment and
3328 develop a comprehensive plan for the procurement of energy
3329 resources, including, but not limited to, conventional and renewable
3330 generating facilities, energy efficiency, load management, demand
3331 response, combined heat and power facilities, distributed generation
3332 and other emerging energy technologies to meet the projected
3333 requirements of their customers in a manner that minimizes the cost of
3334 such resources to customers over time and maximizes consumer
3335 benefits consistent with the state's environmental goals and standards.
3336 Such plan shall seek to lower the cost of electricity.

3337 (b) On or before January 1, 2008, and biennially thereafter, the
3338 Department of Energy and Environmental Protection, in consultation
3339 with the Connecticut Energy Advisory Board and the companies, shall
3340 [submit to the Connecticut Energy Advisory Board] prepare an
3341 assessment of (1) the energy and capacity requirements of customers
3342 for the next three, five and ten years, (2) the manner of how best to
3343 eliminate growth in electric demand, (3) how best to level electric
3344 demand in the state by reducing peak demand and shifting demand to
3345 off-peak periods, (4) the impact of current and projected
3346 environmental standards, including, but not limited to, those related to
3347 greenhouse gas emissions and the federal Clean Air Act goals and how
3348 different resources could help achieve those standards and goals, (5)
3349 energy security and economic risks associated with potential energy
3350 resources, and (6) the estimated lifetime cost and availability of
3351 potential energy resources.

3352 (c) Resource needs shall first be met through all available energy
3353 efficiency and demand reduction resources that are cost-effective,
3354 reliable and feasible. The projected customer cost impact of any
3355 demand-side resources considered pursuant to this subsection shall be
3356 reviewed on an equitable bases with nondemand-side resources. The
3357 procurement plan shall specify (1) the total amount of energy and

3358 capacity resources needed to meet the requirements of all customers,
3359 (2) the extent to which demand-side measures, including efficiency,
3360 conservation, demand response and load management can cost-
3361 effectively meet these needs, (3) needs for generating capacity and
3362 transmission and distribution improvements, (4) how the development
3363 of such resources will reduce and stabilize the costs of electricity to
3364 consumers, and (5) the manner in which each of the proposed
3365 resources should be procured, including the optimal contract periods
3366 for various resources.

3367 (d) The procurement plan shall consider: (1) Approaches to
3368 maximizing the impact of demand-side measures; (2) the extent to
3369 which generation needs can be met by renewable and combined heat
3370 and power facilities; (3) the optimization of the use of generation sites
3371 and generation portfolio existing within the state; (4) fuel types,
3372 diversity, availability, firmness of supply and security and
3373 environmental impacts thereof, including impacts on meeting the
3374 state's greenhouse gas emission goals; (5) reliability, peak load and
3375 energy forecasts, system contingencies and existing resource
3376 availabilities; (6) import limitations and the appropriate reliance on
3377 such imports; and (7) the impact of the procurement plan on the costs
3378 of electric customers. Such plan shall include options for lowering the
3379 cost of electricity.

3380 (e) The [board, in consultation with the regional independent
3381 system operator, shall review and approve or review, modify and
3382 approve] Department of Energy and Environmental Protection, in
3383 consultation with the electric distribution companies, the regional
3384 independent system operator, and the Connecticut Energy Advisory
3385 Board, shall develop a procurement plan and hold public hearings on
3386 the proposed procurement plan. [as submitted not later than one
3387 hundred twenty days after receipt. For calendar years 2009 and
3388 thereafter, the board shall conduct such review not later than sixty
3389 days after receipt. For the purpose of reviewing the plan, the
3390 Commissioners of Transportation and Agriculture and the chairperson

3391 of the Public Utilities Control Authority, or their respective designees,
3392 shall not participate as members of the board. The electric distribution
3393 companies shall provide any additional information requested by the
3394 board that is relevant to the consideration of the procurement plan. In
3395 the course of conducting such review, the board shall conduct a public
3396 hearing, may retain the services of a third-party entity with experience
3397 in the area of energy procurement and may consult with the regional
3398 independent system operator. The board shall submit the reviewed
3399 procurement plan, together with a statement of any unresolved issues,
3400 to the Department of Public Utility Control. The department shall
3401 consider the procurement plan in an uncontested proceeding and shall
3402 conduct a hearing and provide an opportunity for interested parties to
3403 submit comments regarding the procurement plan. Not later than one
3404 hundred twenty days after submission of the procurement plan, the
3405 department shall approve, or modify and approve, the procurement
3406 plan.] The department's Bureau of Energy shall, after the public
3407 hearing, make recommendations to the Commissioner of Energy and
3408 Environmental Protection regarding plan modifications. Said
3409 commissioner shall approve, modify or reject the plan.

3410 (f) On or before September 30, [2009] 2011, and every two years
3411 thereafter, the Department of [Public Utility Control] Energy and
3412 Environmental Protection shall report to the joint standing committees
3413 of the General Assembly having cognizance of matters relating to
3414 energy and the environment regarding goals established and progress
3415 toward implementation of the procurement plan established pursuant
3416 to this section, as well as any recommendations for the process.

3417 (g) All electric distribution companies' costs associated with the
3418 development of the resource assessment and the development of the
3419 procurement plan shall be recoverable through the systems benefits
3420 charge.

3421 Sec. 49. (NEW) (*Effective from passage*) (a) The plan developed,
3422 pursuant to section 16a-3a of the general statutes, as amended by this

3423 act, to be adopted in 2012 shall (1) indicate specific options to reduce
3424 the price of electricity and maintain such reductions for another five
3425 years. Such options may include the procurement of new sources of
3426 generation. In reviewing new sources of generation, the plan shall
3427 determine whether the private wholesale market can supply such
3428 additional sources or whether state financial assistance, long-term
3429 purchasing of electricity contracts or other interventions are needed to
3430 achieve the goal; (2) analyze in-state renewable sources of electricity in
3431 comparison to transmission line upgrades or new projects and out-of-
3432 state renewable energy sources, provided such analysis also considers
3433 the benefits of additional jobs and other economic impacts; (3) include
3434 an examination of other states' best practices to determine why
3435 electricity rates are lower elsewhere in the region; (4) assess and
3436 compare the cost of transmission line projects, new power sources,
3437 renewable sources of electricity, conservation and distributed
3438 generation projects to ensure the state pursues only the least-cost
3439 alternative projects; (5) continually monitor supply and distribution
3440 systems to identify potential need for transmission line projects early
3441 enough to identify alternatives; and (6) assess the least cost alternative
3442 to address reliability concerns, including, but not limited to, lowering
3443 electricity demand through conservation and distributed generation
3444 projects before an electric distribution company submits a proposal for
3445 transmission lines or transmission line upgrades to the independent
3446 system operator or the Federal Energy Regulatory Commission.

3447 (b) If, on and after July 1, 2012, the 2012 plan contains an option to
3448 procure new sources of generation, the Department of Energy and
3449 Environmental Protection shall pursue the most cost-effective
3450 approach. If the department seeks new sources of generation, it shall
3451 issue a notice of interest for generation without any financial
3452 assistance, including, but not limited to, long-term contract financing
3453 or ratepayer guarantees. If the department fails to receive any
3454 responsive proposal, it shall issue a request for proposals that may
3455 include such financial assistance.

3456 (c) On or before February 1, 2012, the department shall report to the
3457 joint standing committee of the General Assembly having cognizance
3458 of matters relating to energy regarding state policy and legislative
3459 changes the department feels would most likely lower the state's
3460 electricity rates.

3461 Sec. 50. (NEW) (*Effective July 1, 2011*) (a) On or before June 30, 2012,
3462 the Department of Energy and Environmental Protection shall conduct
3463 a proceeding regarding development of low-income discounted rates
3464 for service provided by electric distribution companies, as defined in
3465 section 16-1 of the general statutes, as amended by this act, to low-
3466 income customers with an annual income that does not exceed sixty
3467 per cent of median income. Such proceeding shall include, but not be
3468 limited to, a review, for individuals who receive means-tested
3469 assistance administered by the state or federal governments, of the
3470 current and future availability of rate discounts through the
3471 department's electricity purchasing pool operated pursuant to section
3472 16a-14e of the general statutes, energy assistance benefits available
3473 through any plan adopted pursuant to section 16a-41a of the general
3474 statutes, state funded or administered programs, conservation
3475 assistance available pursuant to section 16-245m of the general
3476 statutes, as amended by this act, assistance funded or administered by
3477 said department or the Department of Social Services, or matching
3478 payment program benefits available pursuant to subsection (b) of
3479 section 16-262c of the general statutes. Such proceeding shall also
3480 include an analysis of the cost of imposing a utility termination
3481 moratorium in households with a child two years of age or younger.
3482 The department shall (1) coordinate resources and programs, to the
3483 extent practicable; (2) develop rates that take into account the
3484 indigency of persons of poverty status and allow such persons'
3485 households to meet the costs of essential energy needs; (3) encourage
3486 the households to agree to have a home energy audit as a prerequisite
3487 to qualification; and (4) prepare an analysis of the benefits and
3488 anticipated costs of such low-income discounted rates.

3489 (b) The department shall determine which, if any, of its programs
3490 shall be modified, terminated or have their funding reduced because
3491 such program beneficiaries would benefit more by the establishment of
3492 a low-income or discount rate. The department shall establish a rate
3493 reduction that is equal to the anticipated funds transferred from the
3494 programs modified, terminated or reduced by the department
3495 pursuant to this section and the reduced cost of providing service to
3496 those eligible for such discounted or low-income rates, any available
3497 energy assistance and other sources of coverage for such rates,
3498 including, but not limited to, generation available through the
3499 electricity purchasing pool operated by the department. The
3500 department may issue recommendations regarding programs
3501 administered by the Department of Social Services.

3502 (c) The department shall order (1) filing by each electric company of
3503 proposed rates consistent with the department's decision pursuant to
3504 subsection (a) of this section not later than sixty days after its issuance;
3505 and (2) appropriate modification of existing low-income programs.
3506 Each company shall conduct outreach to make its low-income or
3507 discounted rates available to eligible customers and report to the
3508 department at least annually regarding its outreach activities and the
3509 results of such activities.

3510 (d) The cost of low-income and discounted rates and related
3511 outreach activities pursuant to this section shall be paid (1) through the
3512 normal rate-making procedures of the department, (2) on a semiannual
3513 basis through the systems benefits charge for an electric distribution
3514 company, and (3) solely from the funds of the programs modified,
3515 terminated or reduced by the department pursuant to this section and
3516 the reduced cost of providing service to those eligible for such
3517 discounted or low-income rates, any available energy assistance and
3518 other sources of coverage for such rates, including, but not limited to,
3519 generation available through the electricity purchasing pool operated
3520 by the department.

3521 (e) On or before July 1, 2013, the department shall report, in
3522 accordance with section 11-4a of the general statutes, to the joint
3523 standing committee of the General Assembly having cognizance of
3524 matters relating to energy regarding the benefits and costs of the low-
3525 income or discounted rates established pursuant to subsection (a) of
3526 this section, including, but not limited to, possible impacts on existing
3527 customers who qualify for state assistance, and any recommended
3528 modifications. If the low-income rate is not less than ninety per cent of
3529 the standard service rate, the department shall include in its report
3530 steps to achieve that goal.

3531 (f) The department shall adopt regulations, in accordance with the
3532 provisions of chapter 54 of the general statutes, to implement the
3533 provisions of this section.

3534 Sec. 51. (NEW) (*Effective July 1, 2011*) (a) As used in this section:

3535 (1) "Energy improvements" means any renovation or retrofitting of
3536 qualifying real property to reduce energy consumption or installation
3537 of a renewable energy system to service qualifying real property,
3538 provided such renovation, retrofit or installation is permanently fixed
3539 to such qualifying real property;

3540 (2) "Qualifying real property" means a single-family or multifamily
3541 residential dwelling or a nonresidential commercial or industrial
3542 building, regardless of ownership, that a municipality has determined
3543 can benefit from energy improvements;

3544 (3) "Property owner" means an owner of qualifying real property
3545 who desires to install energy improvements and provides free and
3546 willing consent to the contractual assessment; and

3547 (4) "Sustainable energy program" means a municipal program that
3548 authorizes a municipality to enter into contractual assessments on
3549 qualifying real property with property owners to finance the purchase
3550 and installation of energy improvements to qualifying real property

3551 within its municipal boundaries.

3552 (b) Any municipality, that determines it is in the public interest,
3553 may establish a sustainable energy program to facilitate the increase of
3554 energy efficiency and renewable energy. A municipality shall make
3555 such a determination after issuing public notice and providing an
3556 opportunity for public comment regarding the establishment of a
3557 sustainable energy program.

3558 (c) Notwithstanding the provisions of section 7-374 of the general
3559 statutes or any other public or special act that limits or imposes
3560 conditions on municipal bond issues, any municipality that establishes
3561 a sustainable energy program under this section may issue bonds, as
3562 necessary, for the purpose of (1) financing energy improvements; (2)
3563 related energy audits; and (3) renewable energy system feasibility
3564 studies and the verification of the installation of such improvements.
3565 Such financing shall be secured by special contractual assessments on
3566 the qualifying real property.

3567 (d) (1) Any municipality that establishes a sustainable energy
3568 program pursuant to this section may partner with another
3569 municipality or state agency to (A) maximize the opportunities for
3570 accessing public funds and private capital markets for long-term
3571 sustainable financing, and (B) secure state or federal funds available
3572 for this purpose.

3573 (2) Any municipality that establishes a sustainable energy program
3574 and issues bonds pursuant to this section may supplement the security
3575 of such bonds with any other legally available funds solely at the
3576 municipality's discretion.

3577 (3) Any municipality that establishes a sustainable energy program
3578 pursuant to this section may use the services of one or more private,
3579 public or quasi-public third-party administrators to provide support
3580 for the program.

3581 (e) Before establishing a program under this section, the
3582 municipality shall provide notice to the electric distribution company,
3583 as defined in section 16-1 of the general statutes, as amended by this
3584 act, that services the municipality.

3585 (f) If the owner of record of qualifying real property requests
3586 financing for energy improvements under this section, the
3587 municipality implementing the sustainable energy program shall:

3588 (1) Require performance of an energy audit or renewable energy
3589 system feasibility analysis on the qualifying real property before
3590 approving such financing;

3591 (2) Enter into a contractual assessment on the qualifying real
3592 property with the property owner in a principal amount sufficient to
3593 pay the costs of energy improvements and any associated costs the
3594 municipality determines will benefit the qualifying real property and
3595 may cover any associated costs;

3596 (3) Impose requirements and criteria to ensure that the proposed
3597 energy improvements are consistent with the purpose of the program;
3598 and

3599 (4) Impose requirements and conditions on the financing to ensure
3600 timely repayment, including, but not limited to, procedures for placing
3601 a lien on a property for which an owner defaults on repayment.

3602 (g) Any assessment levied pursuant to this section shall have a term
3603 not to exceed the calculated payback period for the installed energy
3604 improvements, as determined by the municipality, and shall have no
3605 prepayment penalty. The municipality shall set a fixed rate of interest
3606 for the repayment of the principal assessed amount at the time the
3607 assessment is made. Such interest rate, as may be supplemented with
3608 state or federal funding as may become available, shall be sufficient to
3609 pay the financing costs of the program, including delinquencies.

3610 (h) Assessments levied pursuant to this section and the interest and
3611 any penalties thereon shall constitute a lien against the qualifying real
3612 property on which they are made until they are paid. Such lien shall be
3613 levied and collected in the same manner as the general taxes of the
3614 municipality on real property, including, in the event of default or
3615 delinquency, with respect to any penalties and remedies and lien
3616 priorities, provided such lien shall not have priority over any prior
3617 mortgages.

3618 (i) The area encompassing the sustainable energy program in a
3619 municipality may be the entire municipal jurisdiction of the
3620 municipality or a subset of such.

3621 Sec. 52. Section 16-244c of the general statutes is repealed and the
3622 following is substituted in lieu thereof (*Effective July 1, 2011*):

3623 (a) (1) On and after January 1, 2000, each electric distribution
3624 company shall make available to all customers in its service area, the
3625 provision of electric generation and distribution services through a
3626 standard offer. Under the standard offer, a customer shall receive
3627 electric services at a rate established by the Department of [Public
3628 Utility Control] Energy and Environmental Protection pursuant to
3629 subdivision (2) of this subsection. Each electric distribution company
3630 shall provide electric generation services in accordance with such
3631 option to any customer who affirmatively chooses to receive electric
3632 generation services pursuant to the standard offer or does not or is
3633 unable to arrange for or maintain electric generation services with an
3634 electric supplier. The standard offer shall automatically terminate on
3635 January 1, 2004. While providing electric generation services under the
3636 standard offer, an electric distribution company may provide electric
3637 generation services through any of its generation entities or affiliates,
3638 provided such entities or affiliates are licensed pursuant to section 16-
3639 245, as amended by this act.

3640 (2) Not later than October 1, 1999, the Department of [Public Utility

3641 Control] Energy and Environmental Protection shall establish the
3642 standard offer for each electric distribution company, effective January
3643 1, 2000, which shall allocate the costs of such company among electric
3644 transmission and distribution services, electric generation services, the
3645 competitive transition assessment and the systems benefits charge. The
3646 department shall hold a hearing that shall be conducted as a contested
3647 case in accordance with chapter 54 to establish the standard offer. The
3648 standard offer shall provide that the total rate charged under the
3649 standard offer, including electric transmission and distribution
3650 services, the conservation and load management program charge
3651 described in section 16-245m, as amended by this act, the renewable
3652 energy investment charge described in section 16-245n, as amended by
3653 this act, electric generation services, the competitive transition
3654 assessment and the systems benefits charge shall be at least ten per
3655 cent less than the base rates, as defined in section 16-244a, in effect on
3656 December 31, 1996. The standard offer shall be adjusted to the extent of
3657 any increase or decrease in state taxes attributable to sections 12-264
3658 and 12-265 and any other increase or decrease in state or federal taxes
3659 resulting from a change in state or federal law and shall continue to be
3660 adjusted during such period pursuant to section 16-19b.
3661 Notwithstanding the provisions of section 16-19b, the provisions of
3662 said section 16-19b shall apply to electric distribution companies. The
3663 standard offer may be adjusted, by an increase or decrease, to the
3664 extent approved by the department, in the event that (A) the revenue
3665 requirements of the company are affected as the result of changes in (i)
3666 legislative enactments other than public act 98-28, (ii) administrative
3667 requirements, or (iii) accounting standards occurring after July 1, 1998,
3668 provided such accounting standards are adopted by entities
3669 independent of the company that have authority to issue such
3670 standards, or (B) an electric distribution company incurs extraordinary
3671 and unanticipated expenses required for the provision of safe and
3672 reliable electric service to the extent necessary to provide such service.
3673 Savings attributable to a reduction in taxes shall not be shifted between
3674 customer classes.

3675 (3) The price reduction provided in subdivision (2) of this
3676 subsection shall not apply to customers who, on or after July 1, 1998,
3677 are purchasing electric services from an electric company or electric
3678 distribution company, as the case may be, under a special contract or
3679 flexible rate tariff, and the company's filed standard offer tariffs shall
3680 reflect that such customers shall not receive the standard offer price
3681 reduction.

3682 (b) (1) (A) On and after January 1, 2004, each electric distribution
3683 company shall make available to all customers in its service area, the
3684 provision of electric generation and distribution services through a
3685 transitional standard offer. Under the transitional standard offer, a
3686 customer shall receive electric services at a rate established by the
3687 Department of [Public Utility Control] Energy and Environmental
3688 Protection pursuant to subdivision (2) of this subsection. Each electric
3689 distribution company shall provide electric generation services in
3690 accordance with such option to any customer who affirmatively
3691 chooses to receive electric generation services pursuant to the
3692 transitional standard offer or does not or is unable to arrange for or
3693 maintain electric generation services with an electric supplier. The
3694 transitional standard offer shall terminate on December 31, 2006. While
3695 providing electric generation services under the transitional standard
3696 offer, an electric distribution company may provide electric generation
3697 services through any of its generation entities or affiliates, provided
3698 such entities or affiliates are licensed pursuant to section 16-245, as
3699 amended by this act.

3700 (B) The department shall conduct a proceeding to determine
3701 whether a practical, effective, and cost-effective process exists under
3702 which an electric customer, when initiating electric service, may
3703 receive information regarding selecting electric generating services
3704 from a qualified entity. The department shall complete such
3705 proceeding on or before December 1, 2005, and shall implement the
3706 resulting decision on or before March 1, 2006, or on such later date that
3707 the department considers appropriate. An electric distribution

3708 company's costs of participating in the proceeding and implementing
3709 the results of the department's decision shall be recoverable by the
3710 company as generation services costs through an adjustment
3711 mechanism as approved by the department.

3712 (2) (A) Not later than December 15, 2003, the Department of [Public
3713 Utility Control] Energy and Environmental Protection shall establish
3714 the transitional standard offer for each electric distribution company,
3715 effective January 1, 2004.

3716 (B) The department shall hold a hearing that shall be conducted as a
3717 contested case in accordance with chapter 54 to establish the
3718 transitional standard offer. The transitional standard offer shall
3719 provide that the total rate charged under the transitional standard
3720 offer, including electric transmission and distribution services, the
3721 conservation and load management program charge described in
3722 section 16-245m, as amended by this act, the renewable energy
3723 investment charge described in section 16-245n, as amended by this
3724 act, electric generation services, the competitive transition assessment
3725 and the systems benefits charge, and excluding federally mandated
3726 congestion costs, shall not exceed the base rates, as defined in section
3727 16-244a, in effect on December 31, 1996, excluding any rate reduction
3728 ordered by the department on September 26, 2002.

3729 (C) (i) Each electric distribution company shall, on or before January
3730 1, 2004, file with the department an application for an amendment of
3731 rates pursuant to section 16-19, which application shall include a four-
3732 year plan for the provision of electric transmission and distribution
3733 services. The department shall conduct a contested case proceeding
3734 pursuant to sections 16-19 and 16-19e to approve, reject or modify the
3735 application and plan. Upon the approval of such plan, as filed or as
3736 modified by the department, the department shall order that such plan
3737 shall establish the electric transmission and distribution services
3738 component of the transitional standard offer.

3739 (ii) Notwithstanding the provisions of this subparagraph, an electric
3740 distribution company that, on or after September 1, 2002, completed a
3741 proceeding pursuant to sections 16-19 and 16-19e, shall not be required
3742 to file an application for an amendment of rates as required by this
3743 subparagraph. The department shall establish the electric transmission
3744 and distribution services component of the transitional standard offer
3745 for any such company equal to the electric transmission and
3746 distribution services component of the standard offer established
3747 pursuant to subsection (a) of this section in effect on July 1, 2003, for
3748 such company. If such electric distribution company applies to the
3749 department, pursuant to section 16-19, for an amendment of its rates
3750 on or before December 31, 2006, the application of the electric
3751 distribution company shall include a four-year plan.

3752 (D) The transitional standard offer (i) shall be adjusted to the extent
3753 of any increase or decrease in state taxes attributable to sections 12-264
3754 and 12-265 and any other increase or decrease in state or federal taxes
3755 resulting from a change in state or federal law, (ii) shall be adjusted to
3756 provide for the cost of contracts under subdivision (2) of subsection (j)
3757 of this section and the administrative costs for the procurement of such
3758 contracts, and (iii) shall continue to be adjusted during such period
3759 pursuant to section 16-19b. Savings attributable to a reduction in taxes
3760 shall not be shifted between customer classes. Notwithstanding the
3761 provisions of section 16-19b, the provisions of section 16-19b shall
3762 apply to electric distribution companies.

3763 (E) The transitional standard offer may be adjusted, by an increase
3764 or decrease, to the extent approved by the department, in the event
3765 that (i) the revenue requirements of the company are affected as the
3766 result of changes in (I) legislative enactments other than public act 03-
3767 135 or public act 98-28, (II) administrative requirements, or (III)
3768 accounting standards adopted after July 1, 2003, provided such
3769 accounting standards are adopted by entities that are independent of
3770 the company and have authority to issue such standards, or (ii) an
3771 electric distribution company incurs extraordinary and unanticipated

3772 expenses required for the provision of safe and reliable electric service
3773 to the extent necessary to provide such service.

3774 (3) The price provided in subdivision (2) of this subsection shall not
3775 apply to customers who, on or after July 1, 2003, purchase electric
3776 services from an electric company or electric distribution company, as
3777 the case may be, under a special contract or flexible rate tariff,
3778 provided the company's filed transitional standard offer tariffs shall
3779 reflect that such customers shall not receive the transitional standard
3780 offer price during the term of said contract or tariff.

3781 (4) (A) In addition to its costs received pursuant to subsection (h) of
3782 this section, as compensation for providing transitional standard offer
3783 service, each electric distribution company shall receive an amount
3784 equal to five-tenths of one mill per kilowatt hour. Revenues from such
3785 compensation shall not be included in calculating the electric
3786 distribution company's earnings for purposes of, or in determining
3787 whether its rates are just and reasonable under, sections 16-19, 16-19a
3788 and 16-19e, including an earnings sharing mechanism. In addition,
3789 each electric distribution company may earn compensation for
3790 mitigating the prices of the contracts for the provision of electric
3791 generation services, as provided in subdivision (2) of this subsection.

3792 (B) The department shall conduct a contested case proceeding
3793 pursuant to the provisions of chapter 54 to establish an incentive plan
3794 for the procurement of long-term contracts for transitional standard
3795 offer service by an electric distribution company. The incentive plan
3796 shall be based upon a comparison of the actual average firm full
3797 requirements service contract price for electricity obtained by the
3798 electric distribution company compared to the regional average firm
3799 full requirements service contract price for electricity, adjusted for such
3800 variables as the department deems appropriate, including, but not
3801 limited to, differences in locational marginal pricing. If the actual
3802 average firm full requirements service contract price obtained by the
3803 electric distribution company is less than the actual regional average

3804 firm full requirements service contract price for the previous year, the
3805 department shall split five-tenths of one mill per kilowatt hour equally
3806 between ratepayers and the company. Revenues from such incentive
3807 plan shall not be included in calculating the electric distribution
3808 company's earnings for purposes of, or in determining whether its
3809 rates are just and reasonable under sections 16-19, 16-19a and 16-19e.
3810 The department may, as it deems necessary, retain a third party entity
3811 with expertise in energy procurement to assist with the development
3812 of such incentive plan.

3813 (c) (1) On and after January 1, 2007, each electric distribution
3814 company shall provide electric generation services through standard
3815 service to any customer who (A) does not arrange for or is not
3816 receiving electric generation services from an electric supplier, and (B)
3817 does not use a demand meter or has a maximum demand of less than
3818 five hundred kilowatts.

3819 (2) Not later than October 1, 2006, and periodically as required by
3820 subdivision (3) of this subsection, but not more often than every
3821 calendar quarter, the Department of Public Utility Control shall
3822 establish the standard service price for such customers pursuant to
3823 subdivision (3) of this subsection. Each electric distribution company
3824 shall recover the actual net costs of procuring and providing electric
3825 generation services pursuant to this subsection, provided such
3826 company mitigates the costs it incurs for the procurement of electric
3827 generation services for customers who are no longer receiving service
3828 pursuant to this subsection.

3829 (3) An electric distribution company providing electric generation
3830 services pursuant to this subsection shall [mitigate the variation of the
3831 price of the service offered to its customers by procuring] procure
3832 electric generation services contracts in the manner prescribed in [a
3833 plan approved by the department. Such plan shall require the
3834 procurement of a portfolio of service contracts sufficient to meet the
3835 projected load of the electric distribution company. Such plan shall

3836 require that the portfolio of service contracts be procured in an
3837 overlapping pattern of fixed periods at such times and in such manner
3838 and duration as the department determines to be most likely to
3839 produce just, reasonable and reasonably stable retail rates while
3840 reflecting underlying wholesale market prices over time. The portfolio
3841 of contracts shall be assembled in such manner as to invite
3842 competition; guard against favoritism, improvidence, extravagance,
3843 fraud and corruption; and secure a reliable electricity supply while
3844 avoiding unusual, anomalous or excessive pricing. The portfolio of
3845 contracts procured under such plan shall be for terms of not less than
3846 six months, provided contracts for shorter periods may be procured
3847 under such conditions as the department shall prescribe to (A) ensure
3848 the lowest rates possible for end-use customers; (B) ensure reliable
3849 service under extraordinary circumstances; and (C) ensure the prudent
3850 management of the contract portfolio] section 30 of this act. An electric
3851 distribution company may receive a bid for an electric generation
3852 services contract from any of its generation entities or affiliates,
3853 provided such generation entity or affiliate submits its bid the business
3854 day preceding the first day on which an unaffiliated electric supplier
3855 may submit its bid and further provided the electric distribution
3856 company and the generation entity or affiliate are in compliance with
3857 the code of conduct established in section 16-244h.

3858 (4) [The] For standard service contracts procured prior to
3859 department approval of the plan developed pursuant to section 30 of
3860 this act, the department, in consultation with the Office of Consumer
3861 Counsel, [shall] may retain the services of a third-party entity with
3862 expertise in the area of energy procurement to oversee [the initial
3863 development of the] any request for proposals and the procurement of
3864 contracts by an electric distribution company or such entity selected by
3865 the department pursuant to subdivision (3) of this subsection, for the
3866 provision of electric generation services offered pursuant to this
3867 subsection. Costs associated with the retention of such third-party
3868 entity shall be included in the cost of electric generation services that is

3869 included in such price.

3870 (5) [Each] For standard service contracts procured prior to
3871 department approval of the plan developed pursuant to section 66 of
3872 this act, each bidder for a standard service contract shall submit its bid
3873 to the electric distribution company or such entity selected by the
3874 department, pursuant to subdivision (3) of this subsection, and the
3875 third-party entity who shall jointly review the bids and submit an
3876 overview of all bids together with a joint recommendation to the
3877 department as to the preferred bidders. The department may, within
3878 ten business days of submission of the overview, reject the
3879 recommendation regarding preferred bidders. In the event that the
3880 department rejects the preferred bids, the electric distribution
3881 company or such entity selected by the department, pursuant to
3882 subdivision (2) of this subsection, and the third-party entity shall rebid
3883 the service pursuant to this subdivision. The department shall review
3884 each bid in an uncontested proceeding that shall include a public
3885 hearing and in which the Consumer Counsel and Attorney General
3886 may participate.

3887 (d) (1) Notwithstanding the provisions of this section regarding the
3888 electric generation services component of the transitional standard
3889 offer or the procurement of electric generation services under standard
3890 service, section 16-244h or 16-245o, as amended by this act, the
3891 Department of [Public Utility Control] Energy and Environmental
3892 Protection may, from time to time, direct an electric distribution
3893 company to offer, through an electric supplier or electric suppliers,
3894 before January 1, 2007, one or more alternative transitional standard
3895 offer options or, on or after January 1, 2007, one or more alternative
3896 standard service options. Such alternative options shall include, but
3897 not be limited to, an option that consists of the provision of electric
3898 generation services that exceed the renewable portfolio standards
3899 established in section 16-245a and may include an option that utilizes
3900 strategies or technologies that reduce the overall consumption of
3901 electricity of the customer.

3902 (2) (A) The department shall develop such alternative option or
3903 options in a contested case conducted in accordance with the
3904 provisions of chapter 54. The department shall determine the terms
3905 and conditions of such alternative option or options, including, but not
3906 limited to, (i) the minimum contract terms, including pricing, length
3907 and termination of the contract, and (ii) the minimum percentage of
3908 electricity derived from Class I or Class II renewable energy sources, if
3909 applicable. The electric distribution company shall, under the
3910 supervision of the department, subsequently conduct a bidding
3911 process in order to solicit electric suppliers to provide such alternative
3912 option or options.

3913 (B) The department may reject some or all of the bids received
3914 pursuant to the bidding process.

3915 (3) The department may require an electric supplier to provide
3916 forms of assurance to satisfy the department that the contracts
3917 resulting from the bidding process will be fulfilled.

3918 (4) An electric supplier who fails to fulfill its contractual obligations
3919 resulting from this subdivision shall be subject to civil penalties, in
3920 accordance with the provisions of section 16-41, or the suspension or
3921 revocation of such supplier's license or a prohibition on the acceptance
3922 of new customers, following a hearing that is conducted as a contested
3923 case, in accordance with the provisions of chapter 54.

3924 (e) (1) On and after January 1, 2007, an electric distribution company
3925 shall serve customers that are not eligible to receive standard service
3926 pursuant to subsection (c) of this section as the supplier of last resort.
3927 This subsection shall not apply to customers purchasing power under
3928 contracts entered into pursuant to section 16-19hh.

3929 (2) An electric distribution company shall procure electricity at least
3930 every calendar quarter to provide electric generation services to
3931 customers pursuant to this subsection. The Department of [Public
3932 Utility Control] Energy and Environmental Protection shall determine

3933 a price for such customers that reflects the full cost of providing the
3934 electricity on a monthly basis. Each electric distribution company shall
3935 recover the actual net costs of procuring and providing electric
3936 generation services pursuant to this subsection, provided such
3937 company mitigates the costs it incurs for the procurement of electric
3938 generation services for customers that are no longer receiving service
3939 pursuant to this subsection.

3940 (f) On and after January 1, 2000, and until such time the regional
3941 independent system operator implements procedures for the provision
3942 of back-up power to the satisfaction of the Department of [Public
3943 Utility Control] Energy and Environmental Protection, each electric
3944 distribution company shall provide electric generation services to any
3945 customer who has entered into a service contract with an electric
3946 supplier that fails to provide electric generation services for reasons
3947 other than the customer's failure to pay for such services. Between
3948 January 1, 2000, and December 31, 2006, an electric distribution
3949 company may procure electric generation services through a
3950 competitive bidding process or through any of its generation entities
3951 or affiliates. On and after January 1, 2007, such company shall procure
3952 electric generation services through a competitive bidding process
3953 pursuant to a plan submitted by the electric distribution company and
3954 approved by the department. Such company may procure electric
3955 generation services through any of its generation entities or affiliates,
3956 provided such entity or affiliate is the lowest qualified bidder and
3957 provided further any such entity or affiliate is licensed pursuant to
3958 section 16-245, as amended by this act.

3959 (g) An electric distribution company is not required to be licensed
3960 pursuant to section 16-245, as amended by this act, to provide standard
3961 offer electric generation services in accordance with subsection (a) of
3962 this section, transitional standard offer service pursuant to subsection
3963 (b) of this section, standard service pursuant to subsection (c) of this
3964 section, supplier of last resort service pursuant to subsection (e) of this
3965 section or back-up electric generation service pursuant to subsection (f)

3966 of this section.

3967 (h) The electric distribution company shall be entitled to recover
3968 reasonable costs incurred as a result of providing standard offer
3969 electric generation services pursuant to the provisions of subsection (a)
3970 of this section, transitional standard offer service pursuant to
3971 subsection (b) of this section, standard service pursuant to subsection
3972 (c) of this section or back-up electric generation service pursuant to
3973 subsection (f) of this section. The provisions of this section and section
3974 16-244a shall satisfy the requirements of section 16-19a until January 1,
3975 2007.

3976 (i) The Department of [Public Utility Control] Energy and
3977 Environmental Protection shall establish, by regulations adopted
3978 pursuant to chapter 54, procedures for when and how a customer is
3979 notified that his electric supplier has defaulted and of the need for the
3980 customer to choose a new electric supplier within a reasonable period
3981 of time.

3982 (j) (1) Notwithstanding the provisions of subsection (d) of this
3983 section regarding an alternative transitional standard offer option or
3984 an alternative standard service option, an electric distribution
3985 company providing transitional standard offer service, standard
3986 service, supplier of last resort service or back-up electric generation
3987 service in accordance with this section shall contract with its wholesale
3988 suppliers to comply with the renewable portfolio standards. The
3989 Department of [Public Utility Control] Energy and Environmental
3990 Protection shall annually conduct a contested case, in accordance with
3991 the provisions of chapter 54, in order to determine whether the electric
3992 distribution company's wholesale suppliers met the renewable
3993 portfolio standards during the preceding year. An electric distribution
3994 company shall include a provision in its contract with each wholesale
3995 supplier that requires the wholesale supplier to pay the electric
3996 distribution company an amount of five and one-half cents per
3997 kilowatt hour if the wholesale supplier fails to comply with the

3998 renewable portfolio standards during the subject annual period. The
3999 electric distribution company shall promptly transfer any payment
4000 received from the wholesale supplier for the failure to meet the
4001 renewable portfolio standards to the Renewable Energy Investment
4002 Fund for the development of Class I renewable energy sources. Any
4003 payment made pursuant to this section shall not be considered
4004 revenue or income to the electric distribution company.

4005 (2) Notwithstanding the provisions of subsection (d) of this section
4006 regarding an alternative transitional standard offer option or an
4007 alternative standard service option, an electric distribution company
4008 providing transitional standard offer service, standard service,
4009 supplier of last resort service or back-up electric generation service in
4010 accordance with this section shall, not later than July 1, [2008] 2012, file
4011 with the Department of [Public Utility Control] Energy and
4012 Environmental Protection for its approval one or more long-term
4013 power purchase contracts from Class I renewable energy source
4014 projects located in Connecticut that receive funding from the
4015 Renewable Energy Investment Fund, [and that are not less than one
4016 megawatt in size,] at a price that is either, at the determination of the
4017 project owner, (A) not more than the total of the comparable wholesale
4018 market price for generation plus five and one-half cents per kilowatt
4019 hour, or (B) [fifty per cent of the wholesale market electricity cost at the
4020 point at which transmission lines intersect with each other or interface
4021 with the distribution system, plus the project cost of fuel indexed to
4022 natural gas futures contracts on the New York Mercantile Exchange at
4023 the natural gas pipeline interchange located in Vermillion Parish,
4024 Louisiana that serves as the delivery point for such futures contracts,
4025 plus the fuel delivery charge for transporting fuel to the project, plus
4026 five] twelve and one-half cents per kilowatt hour adjusted for inflation.
4027 The Department of Energy and Environmental Protection, in
4028 consultation with the Renewable Energy Investments Board, shall
4029 solicit offers from such projects not later than October 1, 2011. In its
4030 approval of such contracts, the department shall give preference to

4031 purchase contracts from those projects that would provide a financial
4032 benefit to ratepayers [or] and would enhance the reliability of the
4033 electric transmission system of the state. Such projects shall be located
4034 in this state. The one-hundred-fifty-megawatt limit for such projects
4035 may be exceeded only if the contracts for wind generation, Class I
4036 renewable energy sources and alternative renewable energy sources
4037 pursuant to this section and contracts committed as of the effective
4038 date of this section exceed such limit. The owner of a fuel cell project
4039 principally manufactured in this state shall be allocated all available air
4040 emissions credits and tax credits attributable to the project and no less
4041 than fifty per cent of the energy credits in the Class I renewable energy
4042 credits program established in section 16-245a attributable to the
4043 project. On and after October 1, 2007, and until September 30, 2008,
4044 such contracts shall be comprised of not less than a total, apportioned
4045 among each electric distribution company, of one hundred twenty-five
4046 megawatts; and on and after October 1, 2008, such contracts shall be
4047 comprised of not less than a total, apportioned among each electrical
4048 distribution company, of one hundred fifty megawatts. The cost of
4049 such contracts and the administrative costs for the procurement of
4050 such contracts directly incurred shall be eligible for inclusion in the
4051 adjustment to the transitional standard offer as provided in this section
4052 and any subsequent rates for standard service, provided such contracts
4053 are for a period of time sufficient to provide financing for such
4054 projects, but not less than ten years, and are for projects which began
4055 operation on or after July 1, 2003. Except as provided in this
4056 subdivision, the amount from Class I renewable energy sources
4057 contracted under such contracts shall be applied to reduce the
4058 applicable Class I renewable energy source portfolio standards. For
4059 purposes of this subdivision, the department's determination of the
4060 comparable wholesale market price for generation shall be based upon
4061 a reasonable estimate. On or before September 1, 2007, the department,
4062 in consultation with the Office of Consumer Counsel and the
4063 Renewable Energy Investments [Advisory Council] Board, shall study
4064 the operation of such renewable energy contracts and report its

4065 findings and recommendations to the joint standing committee of the
4066 General Assembly having cognizance of matters relating to energy.

4067 (k) (1) As used in this section:

4068 (A) "Participating electric supplier" means an electric supplier that is
4069 licensed by the department to provide electric service, pursuant to this
4070 subsection, to residential or small commercial customers.

4071 (B) "Residential customer" means a customer who is eligible for
4072 standard service and who takes electric distribution-related service
4073 from an electric distribution company pursuant to a residential tariff.

4074 (C) "Small commercial customer" means a customer who is eligible
4075 for standard service and who takes electric distribution-related service
4076 from an electric distribution company pursuant to a small commercial
4077 tariff.

4078 (D) "Qualifying electric offer" means an offer to provide full
4079 requirements commodity electric service and all other generation-
4080 related service to a residential or small commercial customer at a fixed
4081 price per kilowatt hour for a term of no less than one year.

4082 (2) In the manner determined by the department, residential or
4083 small commercial service customers (A) initiating new utility service,
4084 (B) reinitiating service following a change of residence or business
4085 location, (C) making an inquiry regarding their utility rates, or (D)
4086 seeking information regarding energy efficiency shall be offered the
4087 option to learn about their ability to enroll with a participating electric
4088 supplier. Customers expressing an interest to learn about their electric
4089 supply options shall be informed of the qualifying electric offers then
4090 available from participating electric suppliers. The electric distribution
4091 companies shall describe then available qualifying electric offers
4092 through a method reviewed and approved by the department. The
4093 information conveyed to customers expressing an interest to learn
4094 about their electric supply options shall include, at a minimum, the

4095 price and term of the available electric supply option. Customers
4096 expressing an interest in a particular qualifying electric offer shall be
4097 immediately transferred to a call center operated by that participating
4098 electric supplier.

4099 (3) Not later than September 1, 2007, the department shall establish
4100 terms and conditions under which a participating electric supplier can
4101 be included in the referral program described in subdivision (2) of this
4102 subsection. Such terms shall include, but not be limited to, requiring
4103 participating electrical suppliers to offer time-of-use and real-time use
4104 rates to residential customers.

4105 (4) Each calendar quarter, participating electric suppliers shall be
4106 allowed to list qualifying offers to provide electric generation service
4107 to residential and small commercial customers with each customer's
4108 utility bill. The department shall determine the manner such
4109 information is presented in customers' utility bills.

4110 (5) Any customer that receives electric generation service from a
4111 participating electric supplier may return to standard service or may
4112 choose another participating electric supplier at any time, including
4113 during the qualifying electric offer, without the imposition of any
4114 additional charges. Any customer that is receiving electric generation
4115 service from an electric distribution company pursuant to standard
4116 service can switch to another participating electric supplier at any time
4117 without the imposition of additional charges.

4118 (l) Each electric distribution company shall offer to bill customers on
4119 behalf of participating electric suppliers and to pay such suppliers in a
4120 timely manner the amounts due such suppliers from customers for
4121 generation services, less a percentage of such amounts that reflects
4122 uncollectible bills and overdue payments as approved by the
4123 Department of [Public Utility Control] Energy and Environmental
4124 Protection.

4125 (m) On or before July 1, 2007, the Department of [Public Utility

4126 Control] Energy and Environmental Protection shall initiate a
4127 proceeding to examine whether electric supplier bills rendered
4128 pursuant to section 16-245d, as amended by this act, and any
4129 regulations adopted thereunder sufficiently enable customers to
4130 compare pricing policies and charges among electric suppliers.

4131 (n) The department shall conduct a proceeding to determine the cost
4132 of billing, collection and other services provided by the electric
4133 distribution companies or the department solely for the benefit of
4134 participating electric suppliers and aggregators. The department shall
4135 order an equitable allocation of such costs among electric suppliers
4136 and aggregators. As part of this same proceeding, the department shall
4137 also determine the costs that the electric distribution companies incur
4138 solely for the benefit of standard service and last resort service
4139 customers. The department shall allocate and provide for the equitable
4140 recovery of such costs from standard service or last resort service
4141 customers.

4142 [(n)] (o) Nothing in the provisions of this section shall preclude an
4143 electric distribution company from entering into standard service
4144 supply contracts or standard service supply components with electric
4145 generating facilities.

4146 Sec. 53. Section 16-245d of the general statutes is repealed and the
4147 following is substituted in lieu thereof (*Effective July 1, 2011*):

4148 (a) The Department of [Public Utility Control] Energy and
4149 Environmental Protection shall, by regulations adopted pursuant to
4150 chapter 54, develop a standard billing format that enables customers to
4151 compare pricing policies and charges among electric suppliers. [Not
4152 later than January 1, 2006, the] The department shall adopt regulations,
4153 in accordance with the provisions of chapter 54, to provide that an
4154 electric supplier, until October 1, 2011, may provide direct billing and
4155 collection services for electric generation services and related federally
4156 mandated congestion charges that such supplier provides to its

4157 customers [that have] with a maximum demand of not less than one
4158 hundred kilowatts [and] that choose to receive a bill directly from such
4159 supplier and, on and after October 1, 2011, shall provide direct billing
4160 and collection services for electric generation services and related
4161 federally mandated congestion charges that such suppliers provide to
4162 their customers or may choose to obtain such billing and collection
4163 service through an electric distribution company and pay its pro rata
4164 share in accordance with the provisions of subsection (h) of section 16-
4165 244c, as amended by this act. Any customer of an electric supplier,
4166 which is choosing to provide direct billing, who paid for the cost of
4167 billing and other services to an electric distribution company shall
4168 receive a credit on their monthly bill.

4169 (1) An electric supplier that chooses to provide billing and collection
4170 services shall, in accordance with the billing format developed by the
4171 department, include the following information in each customer's bill:
4172 (A) The total amount owed by the customer, which shall be itemized to
4173 show (i) the electric generation services component and any additional
4174 charges imposed by the electric supplier, and (ii) federally mandated
4175 congestion charges applicable to the generation services; (B) any
4176 unpaid amounts from previous bills, which shall be listed separately
4177 from current charges; (C) the rate and usage for the current month and
4178 each of the previous twelve months in bar graph form or other visual
4179 format; (D) the payment due date; (E) the interest rate applicable to
4180 any unpaid amount; (F) the toll-free telephone number of the
4181 Department of Public Utility Control for questions or complaints; and
4182 (G) the toll-free telephone number and address of the electric supplier.

4183 (2) An [electric company,] electric distribution company [or electric
4184 supplier that provides direct billing of the electric generation service
4185 component and related federally mandated congestion charges, as the
4186 case may be,] shall, in accordance with the billing format developed by
4187 the department, include the following information in each customer's
4188 bill: [, as appropriate: (1)] (A) The total amount owed by the customer,
4189 which shall be itemized to show, [(A)] (i) the electric generation

4190 services component [and any additional charges imposed by the
4191 electric supplier, if applicable, (B)] if the customer obtains standard
4192 service or last resort service from the electric distribution company, (ii)
4193 the distribution charge, including all applicable taxes and the systems
4194 benefits charge, as provided in section 16-245l, [(C)] (iii) the
4195 transmission rate as adjusted pursuant to subsection (d) of section 16-
4196 19b, [(D)] (iv) the competitive transition assessment, as provided in
4197 section 16-245g, [(E)] (v) federally mandated congestion charges, and
4198 [(F)] (vi) the conservation and renewable energy charge, consisting of
4199 the conservation and load management program charge, as provided
4200 in section 16-245m, as amended by this act, and the renewable energy
4201 investment charge, as provided in section 16-245n, as amended by this
4202 act; [(2)] (B) any unpaid amounts from previous bills which shall be
4203 listed separately from current charges; [(3)] (C) except for customers
4204 subject to a demand charge, the rate and usage for the current month
4205 and each of the previous twelve months in the form of a bar graph or
4206 other visual form; [(4)] (D) the payment due date; [(5)] (E) the interest
4207 rate applicable to any unpaid amount; [(6)] (F) the toll-free telephone
4208 number of the electric distribution company to report power losses;
4209 [(7)] (G) the toll-free telephone number of the Department of Public
4210 Utility Control for questions or complaints; [(8) the toll-free telephone
4211 number and address of the electric supplier; and (9)] and (H) if a
4212 customer has a demand of five hundred kilowatts or less during the
4213 preceding twelve months, a statement about the availability of
4214 information concerning electric suppliers pursuant to section 16-245p.

4215 (b) The regulations shall provide guidelines for determining until
4216 October 1, 2011, the billing relationship between the electric
4217 distribution company and electric suppliers, including, but not limited
4218 to, the allocation of partial bill payments and late payments between
4219 the electric distribution company and the electric supplier. An electric
4220 distribution company that provides billing services for an electric
4221 supplier shall be entitled to recover from the electric supplier all
4222 reasonable transaction costs to provide such billing services as well as

4223 a reasonable rate of return, in accordance with the principles in
4224 subsection (a) of section 16-19e.

4225 Sec. 54. Section 16-245o of the general statutes is repealed and the
4226 following is substituted in lieu thereof (*Effective July 1, 2011*):

4227 (a) To protect a customer's right to privacy from unwanted
4228 solicitation, each electric company or electric distribution company, as
4229 the case may be, shall distribute to each customer a form approved by
4230 the Department of [Public Utility Control] Energy and Environmental
4231 Protection which the customer shall submit to the customer's electric
4232 or electric distribution company in a timely manner if the customer
4233 does not want the customer's name, address, telephone number and
4234 rate class to be released to electric suppliers. On and after July 1, 1999,
4235 each electric or electric distribution company, as the case may be, shall
4236 make available to all electric suppliers customer names, addresses,
4237 telephone numbers, if known, and rate class, unless the electric
4238 company or electric distribution company has received a form from a
4239 customer requesting that such information not be released. Additional
4240 information about a customer for marketing purposes shall not be
4241 released to any electric supplier unless a customer consents to a release
4242 by one of the following: (1) An independent third-party telephone
4243 verification; (2) receipt of a written confirmation received in the mail
4244 from the customer after the customer has received an information
4245 package confirming any telephone agreement; (3) the customer signs a
4246 document fully explaining the nature and effect of the release; or (4)
4247 the customer's consent is obtained through electronic means,
4248 including, but not limited to, a computer transaction.

4249 (b) All electric suppliers shall have equal access to customer
4250 information required to be disclosed under subsection (a) of this
4251 section. No electric supplier shall have preferential access to historical
4252 distribution company customer usage data.

4253 (c) No electric or electric distribution company shall include in any

4254 bill or bill insert anything that directly or indirectly promotes a
4255 generation entity or affiliate of the electric distribution company. No
4256 electric supplier shall include a bill insert in an electric bill of an
4257 electric distribution company.

4258 (d) All marketing information provided pursuant to the provisions
4259 of this section shall be formatted electronically by the electric company
4260 or electric distribution company, as the case may be, in a form that is
4261 readily usable by standard commercial software packages. Updated
4262 lists shall be made available within a reasonable time, as determined
4263 by the department, following a request by an electric supplier. Each
4264 electric supplier seeking the information shall pay a fee to the electric
4265 company or electric distribution company, as the case may be, which
4266 reflects the incremental costs of formatting, sorting and distributing
4267 this information, together with related software changes. Customers
4268 shall be entitled to any available individual information about their
4269 loads or usage at no cost.

4270 (e) Each electric supplier shall, prior to the initiation of electric
4271 generation services, provide the potential customer with a written
4272 notice describing the rates, information on air emissions and resource
4273 mix of generation facilities operated by and under long-term contract
4274 to the supplier, terms and conditions of the service, and a notice
4275 describing the customer's right to cancel the service, as provided in this
4276 section. No electric supplier shall provide electric generation services
4277 unless the customer has signed a service contract or consents to such
4278 services by one of the following: (1) An independent third-party
4279 telephone verification; (2) receipt of a written confirmation received in
4280 the mail from the customer after the customer has received an
4281 information package confirming any telephone agreement; (3) the
4282 customer signs a [document fully explaining the nature and effect of
4283 the initiation of the service] contract that conforms with the provisions
4284 of this section; or (4) the customer's consent is obtained through
4285 electronic means, including, but not limited to, a computer transaction.
4286 Each electric supplier shall provide each customer with a demand of

4287 less than one hundred kilowatts, a written contract that conforms with
4288 the provisions of this section and maintain records of such signed
4289 service contract or consent to service for a period of not less than two
4290 years from the date of expiration of such contract, which records shall
4291 be provided to the division or the customer upon request. Each
4292 contract for electric generation services shall contain all material terms
4293 of the agreement, a clear and conspicuous statement explaining the
4294 rates that such customer will be paying, including the circumstances
4295 under which the rates may change, a statement that provides specific
4296 directions to the customer as to how to compare the price term in the
4297 contract to the customer's existing electric generation service charge on
4298 the electric bill and how long those rates are guaranteed. Such contract
4299 shall also include a clear and conspicuous statement providing the
4300 customer's right to cancel such contract not later than three days after
4301 signature or receipt in accordance with the provisions of this
4302 subsection, describing under what circumstances, if any, the supplier
4303 may terminate the contract and describing any penalty for early
4304 termination of such contract. Each contract shall be signed by the
4305 customer, or otherwise agreed to in accordance with the provisions of
4306 this subsection. A customer who has a maximum demand of five
4307 hundred kilowatts or less shall, until midnight of the third business
4308 day after the latter of the day on which the customer enters into a
4309 service agreement or the day on which the customer receives the
4310 written contract from the electric supplier as provided in this section,
4311 have the right to cancel a contract for electric generation services
4312 entered into with an electric supplier.

4313 [(f) An electric supplier shall not advertise or disclose the price of
4314 electricity in such a manner as to mislead a reasonable person into
4315 believing that the electric generation services portion of the bill will be
4316 the total bill amount for the delivery of electricity to the customer's
4317 location. When advertising or disclosing the price for electricity, the
4318 electric supplier shall also disclose the electric distribution company's
4319 average current charges, including the competitive transition

4320 assessment and the systems benefits charge, for that customer class.]

4321 (f) (1) Any third-party agent who contracts with or is otherwise
4322 compensated by an electric supplier to sell electric generation services
4323 shall be a legal agent of the electric supplier. No third-party agent may
4324 sell electric generation services on behalf of an electric supplier unless
4325 (A) the third-party agent is an employee or independent contractor of
4326 such electric supplier, and (B) the third-party agent has received
4327 appropriate training directly from such electric supplier.

4328 (2) On or after July 1, 2011, all sales and solicitations of electric
4329 generation services by an electric supplier, aggregator or agent of an
4330 electric supplier or aggregator to a customer with a maximum demand
4331 of one hundred kilowatts or less conducted and consummated entirely
4332 by mail, door-to-door sale, telephone or other electronic means, during
4333 a scheduled appointment at the premises of a customer or at a fair,
4334 trade or business show, convention or exposition in addition to
4335 complying with the provisions of subsection (e) of this section shall:

4336 (A) For any sale or solicitation, including from any person
4337 representing such electric supplier, aggregator or agent of an electric
4338 supplier or aggregator (i) identify the person and the electric
4339 generation services company or companies the person represents; (ii)
4340 provide a statement that the person does not represent an electric
4341 distribution company; (iii) explain the purpose of the solicitation; and
4342 (iv) explain all rates, fees, variable charges and terms and conditions
4343 for the services provided; and

4344 (B) For door-to-door sales to customers with a maximum demand of
4345 one hundred kilowatts, which shall include the sale of electric
4346 generation services in which the electric supplier, aggregator or agent
4347 of an electric supplier or aggregator solicits the sale and receives the
4348 customer's agreement or offer to purchase at a place other than the
4349 seller's place of business, be conducted (i) in accordance with any
4350 municipal and local ordinances regarding door-to-door solicitations,

4351 (ii) between the hours of ten o'clock a.m. and six o'clock p.m., and (iii)
4352 with both English and Spanish written materials available. Any
4353 representative of an electric supplier, aggregator or agent of an electric
4354 supplier or aggregator shall prominently display or wear a photo
4355 identification badge stating the name of such person's employer or the
4356 electric supplier the person represents. Each such supplier, aggregator
4357 or agent shall conduct a criminal background check on each person
4358 such entity employs to conduct such door-to-door sales and no one
4359 who has been convicted of a felony or a misdemeanor involving
4360 robbery, theft, misrepresentation or any other similar crime shall be
4361 employed to conduct such sales.

4362 (3) No electric supplier, aggregator or agent of an electric supplier
4363 or aggregator shall advertise or disclose the price of electricity to
4364 mislead a reasonable person into believing that the electric generation
4365 services portion of the bill will be the total bill amount for the delivery
4366 of electricity to the customer's location. When advertising or disclosing
4367 the price for electricity, the electric supplier, aggregator or agent of an
4368 electric supplier or aggregator shall also disclose the electric
4369 distribution company's current charges, including the competitive
4370 transition assessment and the systems benefits charge, for that
4371 customer class.

4372 (4) No entity, including an aggregator or agent of an electric
4373 supplier or aggregator, who sells or offers for sale any electric
4374 generation services for or on behalf of an electric supplier, shall engage
4375 in any deceptive acts or practices in the marketing, sale or solicitation
4376 of electric generation services.

4377 (5) Each electric supplier shall disclose to the Department of Public
4378 Utility Control in a standardized format (A) the amount of additional
4379 renewable energy credits such supplier will purchase beyond required
4380 credits, (B) where such additional credits are being sourced from, and
4381 (C) the types of renewable energy sources that will be purchased. Each
4382 electric supplier shall only advertise renewable energy credits

4383 purchased beyond those required pursuant to section 16-245a and shall
4384 report to the department the renewable energy sources of such credits
4385 and whenever the mix of such sources changes.

4386 (6) No contract for electric generation services by an electric supplier
4387 shall require a residential customer to pay any fee for termination or
4388 early cancellation of a contract in excess of (A) one hundred dollars; or
4389 (B) twice the estimated bill for energy services for an average month,
4390 whichever is less, provided when an electric supplier offers a contract,
4391 it provides the residential customer an estimate of such customer's
4392 average monthly bill.

4393 (7) An electric supplier shall not make a material change in the
4394 terms or duration of any contract for the provision of electric
4395 generation services by an electric supplier without the express consent
4396 of the customer. Nothing in this subdivision shall restrict an electric
4397 supplier from renewing a contract by clearly informing the customer,
4398 in writing, not less than thirty days nor more than sixty days before the
4399 renewal date, of the renewal terms and of the option not to accept the
4400 renewal offer, provided no fee pursuant to subdivision (6) of this
4401 section shall be charged to a customer who terminates or cancels such
4402 renewal not later than seven business days after receiving the first
4403 billing statement for the renewed contract.

4404 (g) Each electric supplier, aggregator or agent of an electric supplier
4405 or aggregator shall comply with the provisions of the telemarketing
4406 regulations adopted pursuant to 15 USC 6102.

4407 (h) Any violation of this section shall be deemed an unfair or
4408 deceptive trade practice under subsection (a) of section 42-110b. Any
4409 contract for electric generation services that the division finds to be the
4410 product of unfair or deceptive marketing practices or in material
4411 violation of the provisions of this section shall be void and
4412 unenforceable. Any waiver of the provisions of this section by a
4413 customer of electric generation services shall be deemed void and

4414 unenforceable by the electric supplier.

4415 (i) Any violation or failure to comply with any provision of this
4416 section shall be subject to (1) civil penalties by the department in
4417 accordance with section 16-41, (2) the suspension or revocation of an
4418 electric supplier or aggregator's license, or (3) a prohibition on
4419 accepting new customers following a hearing that is conducted as a
4420 contested case in accordance with chapter 54.

4421 (j) The department may adopt regulations, in accordance with the
4422 provisions of chapter 54, to include, but not be limited to, abusive
4423 switching practices, solicitations and renewals by electric suppliers.

4424 Sec. 55. Subsection (g) of section 16-245 of the general statutes is
4425 repealed and the following is substituted in lieu thereof (*Effective July*
4426 *1, 2011*):

4427 (g) As conditions of continued licensure, in addition to the
4428 requirements of subsection (c) of this section: (1) The licensee shall
4429 comply with the National Labor Relations Act and regulations, if
4430 applicable; (2) the licensee shall comply with the Connecticut Unfair
4431 Trade Practices Act and applicable regulations; (3) each generating
4432 facility operated by or under long-term contract to the licensee shall
4433 comply with regulations adopted by the Commissioner of Energy and
4434 Environmental Protection, pursuant to section 22a-174j; (4) the licensee
4435 shall comply with the portfolio standards, pursuant to section 16-245a;
4436 (5) the licensee shall be a member of the New England Power Pool or
4437 its successor or have a contractual relationship with one or more
4438 entities who are members of the New England Power Pool or its
4439 successor and the licensee shall comply with the rules of the regional
4440 independent system operator and standards and any other reliability
4441 guidelines of the regional independent systems operator; (6) the
4442 licensee shall agree to cooperate with the department and other electric
4443 suppliers in the event of an emergency condition that may jeopardize
4444 the safety and reliability of electric service; (7) the licensee shall comply

4445 with the code of conduct established pursuant to section 16-244h; (8)
4446 for a license to a participating municipal electric utility, the licensee
4447 shall provide open and nondiscriminatory access to its distribution
4448 facilities to other licensed electric suppliers; (9) the licensee or the
4449 entity or entities with whom the licensee has a contractual relationship
4450 to purchase power shall be in compliance with all applicable licensing
4451 requirements of the Federal Energy Regulatory Commission; (10) each
4452 generating facility operated by or under long-term contract to the
4453 licensee shall be in compliance with chapter 277a and state
4454 environmental laws and regulations; (11) the licensee shall comply
4455 with the renewable portfolio standards established in section 16-245a;
4456 (12) the licensee shall offer a time-of-use rate option to customers that
4457 provides for a peak period use rate of at least a five hundred per cent
4458 increase in the standard nonpeak use rate. Such peak period shall be
4459 not more than four hours in any twenty-four-hour period. The
4460 standard nonpeak use rate under this option shall be less than the
4461 standard use rate offer by such supplier to the customer. Nothing in
4462 this subdivision shall preclude such supplier from offering other time
4463 of use options; and [(12)] (13) the licensee shall acknowledge that it is
4464 subject to chapters 208, 212, 212a and 219, as applicable, and the
4465 licensee shall pay all taxes it is subject to in this state. Also as a
4466 condition of licensure, the department shall prohibit each licensee from
4467 declining to provide service to customers for the reason that the
4468 customers are located in economically distressed areas. The
4469 department may establish additional reasonable conditions to assure
4470 that all retail customers will continue to have access to electric
4471 generation services.

4472 Sec. 56. (NEW) (*Effective July 1, 2011*) (a) For the two-year period
4473 starting January 1, 2012, and ending June 30, 2014, the aggregate net
4474 annual cost recovered from electric ratepayers pursuant to sections 57
4475 to 62, inclusive, of this act, shall not exceed one-half of one per cent of
4476 total retail electricity sales revenues of each electric distribution
4477 company. For the two-year period starting July 1, 2014, and ending

4478 June 30, 2016, the aggregate net annual cost recovered for electric
4479 ratepayers pursuant to sections 57 to 62, inclusive, of this act and
4480 subsection (i) of section 16-245n of the general statutes, as amended by
4481 this act, shall not exceed three-fourths of one per cent of total retail
4482 electricity sales revenues of each electric distribution company. For
4483 each twelve-month period starting July 1, 2016, and every July first
4484 thereafter for the duration of the solar programs established pursuant
4485 to sections 57 to 62, inclusive, of this act and subsection (i) of section
4486 16-245n of the general statutes, as amended by this act, the aggregate
4487 net cost of such programs recovered for electric ratepayers shall not
4488 exceed one per cent of total retail electricity sales revenues of each
4489 electric distribution company.

4490 (b) The Department of Energy and Environmental Protection shall
4491 net out the incentives paid by the Renewable Energy Investment Fund
4492 pursuant to section 16-245n of the general statutes, as amended by this
4493 act, for solar deployment programs against the aggregate annual costs
4494 identified in this section.

4495 (c) The Department of Energy and Environmental Protection shall
4496 report to the joint standing committee of the General Assembly having
4497 cognizance of matters relating to energy when the annual cost cap is
4498 within twenty per cent of being exceeded. If the department projects
4499 that the annual cost cap will be exceeded, the department shall take
4500 measures to ensure such cap will not be exceeded. Such measures may
4501 include: (1) Delay or modify the development of solar electric
4502 generating facilities by electric distribution companies pursuant to
4503 subsection (e) of section 60 of this act; (2) temporarily suspend the
4504 availability of production-based incentives to customers not already
4505 eligible to receive such incentives under section 60 of this act; and (3)
4506 extend the scheduled electric distribution company solar renewable
4507 energy credit procurement plans under subsection (i) of section 16-
4508 245n of the general statutes, as amended by this act. If the department
4509 determines that cost mitigation measures are required, it shall reduce
4510 proportionally the annual funding for the programs identified in

4511 subdivisions (1) to (3), inclusive, of this subsection and only to the
4512 extent required to bring projected annual costs below the cost cap.

4513 (d) On or before January 1, 2015, the Department of Energy and
4514 Environmental Protection shall report to the joint standing committee
4515 of the General Assembly having cognizance of matters relating to
4516 energy on the cost and charges involved in the implementation of this
4517 program, including a cost-benefit analysis.

4518 Sec. 57. (NEW) (*Effective July 1, 2011*) (a) The Renewable Energy
4519 Investments Board, created in section 16-245n of the general statutes,
4520 as amended by this act, shall structure and implement a residential
4521 solar investment program pursuant to this section and shall result in a
4522 minimum of thirty megawatts of new residential solar photovoltaic
4523 installations located in this state on or before December 31, 2022. For
4524 the purposes of this section and sections 65 and 66 of this act,
4525 "residential" means dwellings with one to four units.

4526 (b) The Renewable Energy Investments Board shall offer direct
4527 financial incentives, in the form of performance-based incentives or
4528 expected performance-based buydowns, for the purchase or lease of
4529 qualifying residential solar photovoltaic systems. For the purposes of
4530 this section, "performance-based incentives" means incentives paid out
4531 on a per kilowatt-hour basis, and "expected performance-based
4532 buydowns" means incentives paid out as a one-time upfront incentive
4533 based on expected system performance. The board shall consider
4534 willingness to pay studies and verified solar photovoltaic system
4535 characteristics, such as operational efficiency, size, location, shading
4536 and orientation, when determining the type and amount of incentive.
4537 Notwithstanding the provisions of subdivision (1) of subsection (j) of
4538 section 16-244c of the general statutes, as amended by this act, the
4539 amount of renewable energy produced from Class I renewable energy
4540 sources receiving tariff payments or included in utility rates under this
4541 section shall be applied to reduce the electric distribution company's
4542 Class I renewable energy source portfolio standard.

4543 (c) Beginning with the comprehensive plan covering the period
4544 from July 1, 2011, to June 30, 2013, the Renewable Energy Investments
4545 Board shall develop and publish in each such plan a proposed
4546 schedule for the offering of performance-based incentives or expected
4547 performance-based buydowns over the duration of any such solar
4548 incentive program. Such schedule shall: (1) Provide for a series of solar
4549 capacity blocks the combined total of which shall be a minimum of
4550 thirty megawatts and projected incentive levels for each such block; (2)
4551 provide incentives that are sufficient to meet reasonable payback
4552 expectations of the residential consumer, taking into consideration the
4553 estimated cost of residential solar installations, the value of the energy
4554 offset by the system and the availability and estimated value of other
4555 incentives, including, but not limited to, federal and state tax
4556 incentives and revenues from the sale of solar renewable energy
4557 credits; (3) provide incentives that decline over time and will foster the
4558 sustained, orderly development of a state-based solar industry; (4)
4559 automatically adjust to the next block once the board has issued
4560 reservations for financial incentives provided pursuant to this section
4561 from the board fully committing the target solar capacity and available
4562 incentives in that block; and (5) provide comparable economic
4563 incentives for the purchase or lease of qualifying residential solar
4564 photovoltaic systems. The board may retain the services of a third-
4565 party entity with expertise in the area of solar energy program design
4566 to assist in the development of the incentive schedule or schedules.
4567 The department shall review and approve such schedule. Nothing in
4568 this subsection shall restrict the board from modifying the approved
4569 incentive schedule before the issuance of its next comprehensive plan
4570 to account for changes in federal or state law or regulation or
4571 developments in the solar market when such changes would affect the
4572 expected return on investment for a typical residential solar
4573 photovoltaic system by twenty per cent or more.

4574 (d) The Renewable Energy Investments Board shall establish and
4575 periodically update program guidelines, including, but not limited to,

4576 requirements for systems and program participants related to: (1)
4577 Eligibility criteria; (2) standards for deployment of energy efficient
4578 equipment or building practices as a condition for receiving incentive
4579 funding; (3) procedures to provide reasonable assurance that such
4580 reservations are made and incentives are paid out only to qualifying
4581 residential solar photovoltaic systems demonstrating a high likelihood
4582 of being installed and operated as indicated in application materials;
4583 and (4) reasonable protocols for the measurement and verification of
4584 energy production.

4585 (e) The Renewable Energy Investments Board shall maintain on its
4586 web site the schedule of incentives, solar capacity remaining in the
4587 current block and available funding and incentive estimators.

4588 (f) Funding for the residential performance-based incentive
4589 program and expected performance-based buydowns shall be
4590 apportioned from the moneys collected under the surcharge specified
4591 in section 16-245n of the general statutes, as amended by this act,
4592 provided such apportionment shall not exceed one-third of the total
4593 surcharge collected annually, and supplemented by federal funding as
4594 may become available.

4595 (g) The Renewable Energy Investments Board shall identify barriers
4596 to the development of a permanent Connecticut-based solar workforce
4597 and shall make provision for comprehensive training, accreditation
4598 and certification programs through institutions and individuals
4599 accredited and certified to national standards.

4600 (h) On or before January 1, 2014, and every two years thereafter for
4601 the duration of the program, the Renewable Energy Investments Board
4602 shall report to the joint standing committee of the General Assembly
4603 having cognizance of matters relating to energy on progress toward
4604 the goals identified in subsection (a) of this section.

4605 Sec. 58. (NEW) (*Effective July 1, 2011*) (a) Commencing on January 1,
4606 2012, and within the period established in subsection (a) of section 21

4607 of this act, each electric distribution company shall solicit and file with
4608 the Department of Energy and Environmental Protection for its
4609 approval, one or more long-term power purchase contracts with
4610 owners or developers of customer-sited solar photovoltaic generation
4611 projects that are less than two thousand kilowatts in size, located on
4612 the customer side of the revenue meter and serve the distribution
4613 system of the electric distribution company.

4614 (b) Solicitations conducted by the electric distribution company
4615 shall be for the purchase of solar renewable energy credits produced
4616 by eligible customer-sited solar photovoltaic generating projects over
4617 the duration of the long-term contract. For purposes of this section, a
4618 long-term contract is a contract for a minimum of fifteen years. The
4619 electric distribution company may solicit proposals for a combination
4620 of renewable energy and associated solar renewable energy credits.

4621 (c) The aggregate procurement of solar renewable energy credits by
4622 electric distribution companies pursuant to this section shall be no less
4623 than four million three hundred fifty thousand. The production of a
4624 megawatt hour of electricity from a Class I solar renewable energy
4625 source first placed in service on or after the effective date of this
4626 section shall create one solar renewable energy credit. A solar
4627 renewable energy credit shall have an effective life covering the year in
4628 which the credit was created and the following calendar year. The
4629 obligation to purchase solar renewable energy credits shall be
4630 apportioned to electric distribution companies based on their
4631 respective distribution system loads at the commencement of the
4632 procurement period, as determined by the department. An electric
4633 distribution company shall not be required to enter into a contract that
4634 provides a payment of more than three hundred fifty dollars per
4635 megawatt hour in the initial year of the contract.

4636 (d) Notwithstanding subdivision (1) of subsection (j) of section 16-
4637 244c of the general statutes, as amended by this act, an electric
4638 distribution company may retire the solar renewable energy credits it

4639 procures through long-term contracting to satisfy its obligation
4640 pursuant to section 16-245a of the general statutes.

4641 (e) Nothing in this section shall preclude the resale or other
4642 disposition of energy or associated solar renewable energy credits
4643 purchased by the electric distribution company, provided the
4644 distribution company shall net the cost of payments made to projects
4645 under the long-term contracts against the proceeds of the sale of
4646 energy or solar renewable energy credits and the difference shall be
4647 credited or charged to distribution customers through a reconciling
4648 component of electric rates as determined by the department.

4649 Sec. 59. (NEW) (*Effective July 1, 2011*) (a) Each electric distribution
4650 company shall, not later than one hundred eighty days after the
4651 effective date of this section, propose a five-year solar solicitation plan
4652 that shall include a timetable and methodology for soliciting proposals
4653 for long-term solar renewable energy credits or energy contracts from
4654 in-state generators and that shall end in calendar year 2022. The
4655 electric distribution company's solar solicitation plan shall be subject to
4656 the review and approval of the department, provided contracts
4657 comprising no less than twenty-five per cent of the electric distribution
4658 company's obligation shall be submitted for department approval on
4659 or before January 1, 2013, no less than fifty per cent of such obligation
4660 shall be submitted for such approval on or before July 1, 2015, and no
4661 less than seventy-five per cent of such obligation shall be submitted for
4662 such approval on or before July 1, 2017.

4663 (b) The electric distribution company's approved solar solicitation
4664 plan shall be designed to foster a diversity of solar project sizes and
4665 participation among all eligible customer classes subject to cost-
4666 effectiveness considerations. Separate procurement processes shall be
4667 conducted for (1) systems up to fifty kilowatts; (2) systems greater than
4668 fifty kilowatts but less than two hundred kilowatts; and (3) systems
4669 between two hundred and two thousand kilowatts. The Department of
4670 Energy and Environmental Protection shall give preference to

4671 competitive bidding for resources of more than fifty kilowatts, unless
4672 the department determines that an alternative methodology is in the
4673 best interests of the electric distribution company's customers and the
4674 development of a competitive and self-sustaining solar market.
4675 Systems up to fifty kilowatts in size shall be eligible to receive, on an
4676 ongoing and continuous basis, a solar renewable energy credit offer
4677 price equivalent to the weighted average accepted bid price in the
4678 most recent solicitation for systems greater than fifty kilowatts but less
4679 than two hundred kilowatts, plus an additional incentive of ten per
4680 cent. Participation in the direct incentive program under section 56 of
4681 this act shall not disqualify an owner or operator of a qualified
4682 residential solar energy system to be eligible for this offer price. The
4683 offer price shall remain open at least until the electric distribution
4684 company has satisfied its procurement requirement for solar
4685 renewable energy credits, as specified in section 58 of this act. Once the
4686 offer price is closed, the owner or holder of a residential solar
4687 renewable energy credit may bid any outstanding or future credits in a
4688 competitive solicitation conducted by the electric distribution company
4689 pursuant to this subsection.

4690 (c) Each electric distribution company shall execute its approved
4691 five-year solicitation plan and submit for review by the Department of
4692 Energy and Environmental Protection and approval of its preferred
4693 solar procurement plan comprised of any proposed contract or
4694 contracts with independent solar developers.

4695 (d) The Department of Energy and Environmental Protection shall
4696 hold a hearing that shall be conducted as an uncontested case, in
4697 accordance with the provisions of chapter 54 of the general statutes, to
4698 approve, reject or modify an application for approval of the electric
4699 distribution company's solar procurement plan. The department shall
4700 only approve such proposed plan if the department finds that (1) the
4701 solicitation and evaluation conducted by the electric distribution
4702 company was the result of a fair, open, competitive and transparent
4703 process; (2) approval of the solar procurement plan would result in the

4704 greatest expected ratepayer value from solar energy or solar renewable
4705 energy credits at the lowest reasonable cost; and (3) such procurement
4706 plan satisfies other criteria established in the approved solicitation
4707 plan. The department shall not approve any proposal made under
4708 such plan unless it determines that the plan and proposals encompass
4709 all foreseeable sources of revenue or benefits and that such proposals,
4710 together with such revenue or benefits, would result in the greatest
4711 expected ratepayer value from solar energy or solar renewable energy
4712 credits. The department may, in its discretion, retain the services of an
4713 independent consultant with expertise in the area of energy
4714 procurement. The independent consultant shall be unaffiliated with
4715 the electric distribution company or its affiliates and shall not, directly
4716 or indirectly, have benefited from employment or contracts with the
4717 electric distribution company or its affiliates in the preceding five
4718 years, except as an independent consultant. For purposes of such
4719 audit, the electric distribution company shall provide the independent
4720 consultant immediate and continuing access to all documents and data
4721 reviewed, used or produced by the electric distribution company in its
4722 bid solicitation and evaluation process. The electric distribution
4723 company shall make all its personnel, agents and contractors used in
4724 the bid solicitation and evaluation available for interview by the
4725 consultant. The electric distribution company shall conduct any
4726 additional modeling requested by the independent auditor to test the
4727 assumptions and results of the bid evaluation process. The
4728 independent consultant shall not participate in or advise the electric
4729 distribution company with respect to any decisions in the bid
4730 solicitation or bid evaluation process. The department's administrative
4731 costs in reviewing the electric distribution company's solar
4732 procurement plan and the costs of the consultant shall be recovered
4733 through a reconciling component of electric rates as determined by the
4734 department.

4735 (e) The electric distribution company shall be entitled to recover its
4736 reasonable costs of complying with its approved solar procurement

4737 plan through a reconciling component of electric rates as determined
4738 by the department.

4739 (f) If, by January 1, 2013, the department has not received proposed
4740 long-term solar renewable energy credit contracts consisting of at least
4741 twenty-five per cent of each electric distribution company's
4742 procurement obligation or by July 1, 2015, has not received proposed
4743 long-term solar renewable energy contracts consisting of at least fifty
4744 per cent of each electric distribution company's procurement
4745 obligation, or by July 1, 2017, has not received proposed long-term
4746 solar renewable energy contracts consisting of at least seventy-five per
4747 cent of each electric distribution company's procurement obligation,
4748 respectively, the department shall notify the electric distribution
4749 company of the shortfall. Unless, upon petition by the electric
4750 distribution company, the department grants the distribution company
4751 an extension not to exceed ninety days to correct this deficiency, the
4752 electric distribution company shall be assessed a noncompliance fee of
4753 five hundred dollars for each solar renewable energy credit shortfall in
4754 the initial year of the procurement, with the per credit fee declining by
4755 seven per cent annually over the duration of the ten-year solicitation
4756 plan. The noncompliance fees associated with the procurement
4757 shortfall shall be collected by the distribution company, maintained in
4758 a separate interest-bearing account and disbursed to the department
4759 on a quarterly basis. Funds collected by the department pursuant to
4760 this section shall be used to support the deployment of solar
4761 photovoltaic generating systems installed in the state with priority
4762 given to otherwise underserved market segments, including, but not
4763 limited to, low-income housing, schools and other public buildings
4764 and nonprofits.

4765 (g) No project that receives funding pursuant to this section shall be
4766 eligible for funding pursuant to section 61 of this act.

4767 (h) Not later than sixty days after its approval of the distribution
4768 company procurement plans submitted on or before January 1, 2013,

4769 the Department of Energy and Environmental Protection shall submit
4770 a report to the joint standing committee of the General Assembly
4771 having cognizance of matters relating to energy. The report shall
4772 document for each distribution company procurement plan: (1) The
4773 total number of solar renewable energy credits bid relative to the
4774 number of solar renewable energy credits requested by the distribution
4775 company; (2) the total number of bidders in each market segment; (3)
4776 the number of contracts awarded; and (4) the total weighted average
4777 price of the solar renewable energy credits or energy so purchased.
4778 The department shall not report individual bid information or other
4779 proprietary information.

4780 Sec. 60. (NEW) (*Effective July 1, 2011*) (a) On or before July 1, 2012,
4781 the Department of Energy and Environmental Protection, in
4782 consultation with the Office of Policy and Management and the
4783 Department of Public Works, shall, within available funding,
4784 complete, or cause to be completed by private vendors, a
4785 comprehensive solar feasibility survey of facilities owned or operated
4786 by the state with a load of fifty kilowatts or more. The survey shall
4787 rank state-owned or operated facilities based on their technical
4788 feasibility to accommodate solar photovoltaic generating systems by
4789 considering such factors as: (1) On-site energy consumption; (2)
4790 building orientation; (3) roof age and condition; (4) shading and the
4791 potential for obstruction to sunlight over the life of the solar system; (5)
4792 structural load capacity; (6) availability of ancillary facilities, such as
4793 parking lots, walkways or maintenance areas; (7) nonenergy related
4794 amenities; and (8) other factors that the Department of Energy and
4795 Environmental Protection deems may bear on the technical feasibility
4796 of such solar deployment.

4797 (b) The Department of Energy and Environmental Protection, shall,
4798 within available funding, issue one or more requests for proposals for
4799 the deployment of solar photovoltaic generating systems at state-
4800 owned or operated facilities. Any such request for proposals shall be
4801 structured to maximize the state's ability to secure incentives available

4802 from the federal government or other sources. The department may
4803 seek in any request for proposals the services of an entity to finance,
4804 design, construct, own or maintain such solar photovoltaic system
4805 under a long-term solar services agreement. Any such entity chosen to
4806 provide such services shall not be considered a public service company
4807 under section 16-1 of the general statutes, as amended by this act.

4808 Sec. 61. (NEW) (*Effective July 1, 2011*) (a) Each electric distribution
4809 company shall, not later than July 1, 2012, file with the Department of
4810 Energy and Environmental Protection for its approval a tariff for
4811 production-based payments to owners or operators of Class I solar
4812 renewable energy source projects located in this state that are not less
4813 than one megawatt and connected directly to the distribution system
4814 of an electric distribution company.

4815 (b) Such tariffs shall provide production-based payments for a
4816 period not less than fifteen years from the in-service date of the Class I
4817 solar renewable energy source project at a price that is, at the
4818 determination of the Department of Energy and Environmental
4819 Protection, a cost-based payment consisting of the fully allocated cost
4820 of constructing and operating a Class I solar renewable energy source
4821 of from one megawatt to seven and one-half megawatts were such
4822 construction and operation to be undertaken or procured by the
4823 electric distribution company itself. In calculating the cost-based tariff,
4824 the department shall consider actual cost data for Class I solar energy
4825 sources constructed and operated by the electric distribution company
4826 pursuant to subsection (e) of this section taking into consideration all
4827 available state and federal incentives.

4828 (c) Such tariffs shall include a per project eligibility cap of seven and
4829 one-half megawatts and an aggregate eligibility cap of fifty megawatts,
4830 apportioned among each electric distribution company in proportion
4831 to distribution load.

4832 (d) The cost of such tariff payments shall be eligible for inclusion in

4833 any subsequent rates, provided such payments are for projects
4834 operational on or after the effective date of this section, and recovered
4835 through a reconciling component of electric rates as determined by the
4836 Department of Energy and Environmental Protection.

4837 (e) On and after July 1, 2012, electric distribution companies may
4838 construct, own and operate solar electric generating facilities up to
4839 one-third of their proportional share of the total cap amounts specified
4840 under subsection (c) of this section, provided any such development
4841 shall be phased in over a period of no less than three years. Such
4842 projects shall be located on brownfields or other locations in a targeted
4843 investment community. The Department of Energy and Environmental
4844 Protection in a contested case, shall (1) authorize the electric
4845 distribution company to recover in rates its costs to construct, own and
4846 operate solar electric generating facilities, including a reasonable
4847 return on its investment not to exceed eight per cent, if such approval
4848 would result in a reasonable cost of meeting the solar energy
4849 requirements pursuant to said subsection (c) of this section and that
4850 such investment will not restrict competition or restrict growth in the
4851 state's solar energy industry or unfairly employ in a manner which
4852 would restrict competition in the market for solar energy systems any
4853 financial, marketing, distributing or generating advantage that the
4854 electric distribution company may exercise as a result of its authority
4855 to operate as a public service company, and (2) establish a mechanism
4856 for the electric distribution company to use a portion of such revenues
4857 to offset the development of an economic development rate to benefit
4858 residents of such targeted investment community.

4859 (f) Notwithstanding the provisions of subdivision (1) of subsection
4860 (j) of section 16-244c of the general statutes, as amended by this act, the
4861 amount of renewable energy produced from Class I renewable energy
4862 sources receiving tariff payments or included in utility rates under this
4863 section shall be applied to reduce the electric distribution company's
4864 Class I renewable energy source portfolio standard.

4865 (g) No project that receives funding pursuant to this section shall be
4866 eligible for funding pursuant to section 59 of this act.

4867 (h) On or before September 1, 2013, the department, in consultation
4868 with the Office of Consumer Counsel and the Renewable Energy
4869 Investments Board, shall study the operation of solar renewable
4870 energy tariffs and shall report, in accordance with the provisions of
4871 section 11-4a of the general statutes, its findings and recommendations
4872 to the joint standing committee of the General Assembly having
4873 cognizance of matters relating to energy.

4874 (i) The department shall suspend the tariff established pursuant to
4875 this section upon the earlier of (1) an electric distribution company
4876 reaching its aggregate cap pursuant to subsection (c) of this section, or
4877 (2) three years from the effective date of the tariff.

4878 Sec. 62. (NEW) (*Effective July 1, 2011*) The Department of Energy and
4879 Environmental Protection in consultation with the Renewable Energy
4880 Investment Fund established in section 16-245n of the general statutes,
4881 as amended by this act, and the Conservation and Load Management
4882 Fund established in section 16-245m of the general statutes, as
4883 amended by this act, shall develop coordinated programs to create a
4884 self-sustaining market for solar thermal systems for electricity, natural
4885 gas and fuel oil customers.

4886 Sec. 63. (NEW) (*Effective July 1, 2011*) The Department of Energy and
4887 Environmental Protection shall provide an additional incentive of up
4888 to five per cent of the then-applicable incentive provided pursuant to
4889 sections 57 and 62 of this act for the use of major system components
4890 manufactured or assembled in Connecticut, and another additional
4891 incentive of up to five per cent of the then applicable incentive
4892 provided pursuant to sections 57 and 62 of this act for the use of major
4893 system components manufactured or assembled in a distressed
4894 municipality, as defined in section 32-9p of the general statutes, or a
4895 targeted investment community, as defined in section 32-222 of the

4896 general statutes.

4897 Sec. 64. (NEW) (*Effective July 1, 2011*) The Department of Energy and
4898 Environmental Protection shall require each electric distribution
4899 company to notify its customers on an ongoing basis regarding the
4900 availability of time-of-use meters, if applicable.

4901 Sec. 65. (NEW) (*Effective October 1, 2011*) The Renewable Energy
4902 Investments Board created pursuant to section 16-245n of the general
4903 statutes, as amended by this act, in consultation with the Department
4904 of Energy and Environmental Protection, may establish a program to
4905 be known as the "condominium renewable energy grant program".
4906 Under such program, the board may provide grants to residential
4907 condominium associations and residential condominium owners,
4908 within available funds, for purchasing renewable energy sources,
4909 including solar energy, geothermal energy and fuel cells or other
4910 energy-efficient hydrogen-fueled energy.

4911 Sec. 66. (NEW) (*Effective July 1, 2011*) (a) On or before January 1,
4912 2012, and annually thereafter, the procurement officer of the
4913 Department of Energy and Environmental Protection in consultation
4914 with each electric distribution company and in consultation with
4915 others at the procurement officer's discretion shall develop a plan for
4916 the procurement of electric generation services and related wholesale
4917 electricity market products that will enable each electric distribution
4918 company to manage a portfolio of contracts to reduce the average cost
4919 of standard service while maintaining standard service cost volatility
4920 within reasonable levels. Each procurement plan shall provide for the
4921 competitive solicitation for load-following electric service and may
4922 include a provision for the use of other contracts, including, but not
4923 limited to, contracts for generation or other electricity market products
4924 and financial contracts, and may provide for the use of varying lengths
4925 of contracts. If such plan includes the purchase of full requirements
4926 contracts, it shall include an explanation of why such purchases are in
4927 the best interests of standard service customers.

4928 (b) An electric distribution company shall recover all reasonable and
4929 prudent costs incurred in connection with the development and
4930 implementation of the approved procurement plan, including costs of
4931 contracts entered into in accordance with the plan.

4932 (c) The procurement officer shall, not less than quarterly, meet with
4933 the Commissioner of Energy and Environmental Protection and
4934 prepare a written report on the implementation of the plan and
4935 recommend any necessary adjustments to the plan to address market
4936 conditions or to otherwise reduce the costs of standard service. Such
4937 quarterly reports shall be public documents. After considering such
4938 report and recommendation, the commissioner may amend the plan
4939 by written order.

4940 (d) The costs of procurement for standard service shall be borne
4941 solely by the standard service customers.

4942 (e) (1) After department approval of the plan developed pursuant to
4943 this section, if an electric distribution company or such entity selected
4944 by the department pursuant to subdivision (2) of subsection (c) of
4945 section 16-244c of the general statutes, as amended by this act, seeks to
4946 enter into a purchase of energy or other market products for standard
4947 service of greater than one year and up to three years in duration, such
4948 company or entity shall propose the details of such proposed purchase
4949 to the department. The department shall review each proposed
4950 purchase in an uncontested proceeding that shall include a public
4951 hearing and in which the Consumer Counsel and Attorney General
4952 may participate. The department, in consultation with the Office of
4953 Consumer Counsel, may retain the services of a third-party entity with
4954 expertise in the area of energy procurement to assist in the
4955 development or review of the proposed purchase. The department
4956 may approve, with or without modification, or reject the proposed
4957 purchase as it deems appropriate. Any approval of the proposed
4958 purchase shall include a maximum price that the electric distribution
4959 company or such entity selected by the department pursuant to

4960 subdivision (2) of subsection (c) of said section 16-244c may agree to
4961 pay for the proposed purchase. After such approval, the electric
4962 distribution company or such entity selected by the department
4963 pursuant to said subdivision (2) of subsection (c) of said section 16-
4964 244c shall procure the energy or market products at the lowest price
4965 available to it from sellers qualified to transact with the procuring
4966 entity, subject to the maximum price set forth in the department's
4967 approval.

4968 (2) After department approval of the plan developed pursuant to
4969 this section, if an electric distribution company or such entity selected
4970 by the department pursuant to subdivision (2) of subsection (c) of said
4971 section 16-244c seeks to enter into a purchase of energy or other market
4972 products for standard service of one year or less in duration, such
4973 company or entity shall propose the details of such proposed purchase
4974 to the department. The department may retain the services of a third-
4975 party entity with expertise in the area of energy procurement to assist
4976 in the review of the proposed purchase. The department may approve,
4977 with or without modification, or reject the proposed purchase as the
4978 department deems appropriate. Any approval of the proposed
4979 purchase shall include a maximum price that the electric distribution
4980 company or such entity selected by the department pursuant to
4981 subdivision (2) of subsection (c) of said section 16-244c may agree to
4982 pay for the proposed purchase. After such approval, the electric
4983 distribution company or such entity selected by the department
4984 pursuant to said subdivision (2) of subsection (c) of said section 16-
4985 244c shall procure the energy or market products at the lowest price
4986 available to it from sellers qualified to transact with the procuring
4987 entity, subject to the maximum price set forth in the department's
4988 approval.

4989 (3) Any contract for standard service of greater than three years in
4990 duration, or any contract for standard service that would directly
4991 result in the construction of a generating facility is subject to the
4992 review and approval of the department. The electric distribution

4993 company or such entity selected by the department pursuant to
4994 subdivision (2) of subsection (c) of said section 16-244c shall execute
4995 such contract subject to approval of the department and shall present
4996 such contract to the department for approval. The department shall
4997 review each contract in an uncontested proceeding that shall include a
4998 public hearing and in which the Consumer Counsel and Attorney
4999 General may participate. The department, in consultation with the
5000 Office of Consumer Counsel, may retain the services of a third-party
5001 entity with expertise in the area of energy procurement to assist in the
5002 development or review of the contract. The department shall issue a
5003 decision on the contract within ninety days of submission by the
5004 electric distribution company or such entity selected by the
5005 department pursuant to subdivision (2) of subsection (c) of said section
5006 16-244c. The Department of Energy and Environmental Protection
5007 shall report annually in accordance with the provisions of section 11-4a
5008 to the joint standing committee of the General Assembly having
5009 cognizance of matters relating to energy regarding implementation of
5010 the plan and recommendations for modification.

5011 Sec. 67. (NEW) (*Effective July 1, 2011*) The Department of Energy and
5012 Environmental Protection Bureau of Public Utility shall initiate a
5013 docket to consider the buy down of an electric distribution company's
5014 current standard service contract to reduce ratepayer bills and conduct
5015 a cost benefit analysis of such a buy down. If the department, as a
5016 result of such docket, determines such a buy down is in the best
5017 interest of ratepayers, the department shall proceed with such buy
5018 down.

5019 Sec. 68. Subsection (b) of section 16-32f of the general statutes is
5020 repealed and the following is substituted in lieu thereof (*Effective July*
5021 *1, 2011*):

5022 (b) Not later than October 1, 2005, and annually thereafter, a gas
5023 company, as defined in section 16-1, as amended by this act, shall
5024 submit to the Department of [Public Utility Control] Energy and

5025 Environmental Protection a gas conservation plan, in accordance with
5026 the provisions of this section, to implement cost-effective energy
5027 conservation programs and market transformation initiatives. All
5028 supply and conservation and load management options shall be
5029 evaluated and selected within an integrated supply and demand
5030 planning framework. Such plan shall be funded during each state
5031 fiscal year by the revenue from the tax imposed by section 12-264 on
5032 the gross receipts of sales of all public services companies that is in
5033 excess of the revenue estimate for said tax that is approved by the
5034 General Assembly in the appropriations act for such fiscal year,
5035 provided (1) the amount of such excess revenue that shall be allocated
5036 to fund such plan in any state fiscal year shall not exceed ten million
5037 dollars, and (2) in the fiscal years commencing July 1, 2011, July 1,
5038 2012, and July 1, 2013, fifty per cent of such excess revenue shall be
5039 allocated to the natural gas projects within the energy savings
5040 infrastructure pilot program pursuant to subdivision (2) of section 90
5041 of this act. Before the accounts for the General Fund have been closed
5042 for each fiscal year, such excess revenue shall be deposited by the
5043 Comptroller in an account held by the Energy Conservation
5044 Management Board, established pursuant to section 16-245m, as
5045 amended by this act. Services provided under the plan shall be
5046 available to all gas company customers. Each gas company shall apply
5047 to the Energy Conservation Management Board for reimbursement for
5048 expenditures pursuant to the plan. The department shall, in an
5049 uncontested proceeding during which the department may hold a
5050 public hearing, approve, modify or reject the plan.

5051 Sec. 69. Subsection (e) of section 16-243v of the general statutes is
5052 repealed and the following is substituted in lieu thereof (*Effective July*
5053 *1, 2011*):

5054 (e) Beginning February 1, 2010, a certified Connecticut electric
5055 efficiency partner may only receive funding if selected in a request for
5056 proposal developed, issued and evaluated by the department. In
5057 evaluating a proposal, the department shall take into consideration the

5058 potential to reduce customers' electric demand including peak electric
5059 demand, and associated electric charges tied to electric demand and
5060 peak electric demand growth, including, but not limited to, federally
5061 mandated congestion charges and other electric costs, and shall utilize
5062 a cost benefit test established pursuant to subsection (c) of this section
5063 to rank responses for selection. The department shall determine the
5064 portion of the total cost of each project that shall be paid by the
5065 customer participating in this program and the portion of the total cost
5066 of each project that shall be paid by all electric ratepayers and collected
5067 pursuant to the provisions of this subsection. In making such
5068 determination, the department shall (1) ensure that all ratepayer
5069 investments maintain a minimum [two-to-one] one-and-one-half-to-
5070 one payback ratio, and (2) specify that participating Connecticut
5071 electric efficiency partners shall maintain the technology for a period
5072 sufficient to achieve such investment payback ratio. The annual
5073 ratepayer contribution shall not exceed sixty million dollars. Not less
5074 than seventy-five per cent of such annual ratepayer investment shall be
5075 used for the technologies themselves and for the fiscal years
5076 commencing July 1, 2011, July 1, 2012, and July 1, 2013, five million
5077 dollars of such annual ratepayer investment shall be used for
5078 combined heat and power projects and five million dollars of such
5079 annual ratepayer investment shall be used for fuel oil burner, boiler
5080 and furnace replacement projects, under the energy savings
5081 infrastructure pilot program established pursuant to section 90 of this
5082 act. No Connecticut electric efficiency partner shall receive funding
5083 pursuant to this subsection if such partner has received or is receiving
5084 funding from the Energy Conservation and Load Management Funds
5085 for such technology. The department may conduct additional requests
5086 for proposals from time to time as it deems appropriate. The
5087 department shall specify the manner in which a Connecticut electric
5088 efficiency partner shall address measures of effectiveness and shall
5089 include performance milestones.

5090 Sec. 70. (NEW) (*Effective July 1, 2011*) The Department of Energy and

5091 Environmental Protection shall require the Energy Conservation
5092 Management Board, the Renewable Energy Investments Board and
5093 electric distribution companies, as defined in section 16-1 of the
5094 general statutes, as amended by this act, to establish a program to
5095 provide financial assistance for energy conservation and load
5096 management projects to electric distribution company customers in
5097 underserved communities. The aggregate financial assistance such
5098 program shall provide shall be in an amount equal to at least three per
5099 cent of the moneys collected for the Energy Conservation and Load
5100 Management and at least three per cent of the moneys collected for the
5101 Renewable Energy Investment Funds pursuant to sections 16-245m
5102 and 16-245n of the general statutes, as amended by this act. Such funds
5103 shall be provided for programs directly benefiting residential or small
5104 business electric customers in underserved communities. The moneys
5105 for the program shall be derived (1) initially from, if available, the
5106 federal American Recovery and Reinvestment Act of 2009, and (2) for
5107 conservation projects from the Energy Conservation and Load
5108 Management and renewable energy projects from Renewable Energy
5109 Investment Funds. Such program shall include a job training
5110 component for existing or potential minority business enterprises, as
5111 defined in section 4a-60g of the general statutes. For the purposes of
5112 this section, "underserved communities" means municipalities meeting
5113 the criteria set forth in subsection (a) of section 32-70 of the general
5114 statutes. The department shall report, in accordance with the
5115 provisions of section 11-4a of the general statutes, to the joint standing
5116 committee of the General Assembly having cognizance of matters
5117 relating to energy on or before February 1, 2012, and annually
5118 thereafter, regarding the program established pursuant to this section.

5119 Sec. 71. (NEW) (*Effective July 1, 2011*) On or before September 1,
5120 2011, the Department of Energy and Environmental Protection shall
5121 initiate a request for proposals to consider bilateral purchasing
5122 contracts for electricity from existing or new generators, provided such
5123 contract shall be for a term of not less than five years and not more

5124 than fifteen years, shall reduce electricity rates by pricing such
5125 electricity on a cost-of-service basis, power purchase agreement or
5126 other mechanism the department determines to be in the best interest
5127 of Connecticut's customers and shall directly, or in combination with
5128 other initiatives, provide electricity at lower rates for Connecticut
5129 consumers.

5130 Sec. 72. (NEW) (*Effective July 1, 2011*) On or before September 1,
5131 2011, the Department of Energy and Environmental Protection shall
5132 review any proposed commercial transmission line project (1) in which
5133 a Connecticut electric distribution company may have a financial
5134 interest, or (2) that may be constructed in whole or in part in this state
5135 to determine whether to obtain electricity from such transmission lines
5136 at a rate that will lower electricity rates for Connecticut consumers.

5137 Sec. 73. (*Effective from passage*) On or before August 1, 2011, the
5138 Department of Energy and Environmental Protection shall initiate a
5139 study to identify the impact on Connecticut ratepayers and the New
5140 England and state wholesale electric power market of the operation of
5141 the regional independent system operator, as defined in section 16-1 of
5142 the general statutes, as amended by this act, and of Market Rule 1 as
5143 promulgated by said regional independent system operator. Such
5144 study shall include, but not be limited to, (1) a review of the
5145 accountability of said independent system operator to Connecticut
5146 ratepayers and energy policymakers, (2) consideration of strategies
5147 and mechanisms that may mitigate any adverse impacts Market Rule 1
5148 may have on wholesale generation prices in Connecticut and New
5149 England and may reduce Connecticut's reliance on the wholesale
5150 power market, including, but not limited to, long-term contracts, (3)
5151 consideration of the costs and benefits associated with participating in
5152 said independent system operator and any potential benefits of joining
5153 another independent system operator or operating outside of the
5154 existing independent operator systems, (4) an examination of the
5155 framework within the Federal Energy Regulatory Commission that has
5156 contributed to the state's high rates, and (5) consideration of methods

5157 to foster greater transparency in any such system. On or before
5158 January 1, 2012, the department shall report, in accordance with the
5159 provisions of section 11-4a of the general statutes, its findings to the
5160 joint standing committee of the General Assembly having cognizance
5161 of matters relating to energy.

5162 Sec. 74. Subparagraph (B) of subdivision (6) of subsection (c) of
5163 section 7-148 of the general statutes is repealed and the following is
5164 substituted in lieu thereof (*Effective July 1, 2011*):

5165 (B) (i) Lay out, construct, reconstruct, repair, maintain, operate,
5166 alter, extend and discontinue sewer and drainage systems and sewage
5167 disposal plants;

5168 (ii) Enter into or upon any land for the purpose of correcting the
5169 flow of surface water through watercourses which prevent, or may
5170 tend to prevent, the free discharge of municipal highway surface water
5171 through said courses;

5172 (iii) Regulate the laying, location and maintenance of gas pipes,
5173 water pipes, drains, sewers, poles, wires, conduits and other structures
5174 in the streets and public places of the municipality;

5175 (iv) Prohibit and regulate the discharge of drains from roofs of
5176 buildings over or upon the sidewalks, streets or other public places of
5177 the municipality or into sanitary sewers;

5178 (v) Enter into performance-based energy contracts;

5179 Sec. 75. (NEW) (*Effective July 1, 2011*) On or before October 1, 2011,
5180 the Department of Energy and Environmental Protection shall
5181 establish a natural gas conversion program to allow a gas company to
5182 finance the conversion to gas heat by potential residential customers
5183 who heat their homes with electricity. The department shall adopt
5184 regulations in accordance with the provisions of chapter 54 of the
5185 general statutes to establish procedures and terms for such program

5186 and shall, on or before January 1, 2012, and annually thereafter, report
5187 in accordance with the provisions of section 11-4a of the general
5188 statutes to the joint standing committees of the General Assembly
5189 having cognizance of matters relating to energy and the environment
5190 regarding the progress of said program.

5191 Sec. 76. (NEW) (*Effective from passage*) The Department of Energy
5192 and Environmental Protection shall prepare a study on the potential
5193 costs savings and benefits to ratepayers, including, but not limited to,
5194 emissions reductions, repowering some or all of the state's coal-fired
5195 and oil-fired generation facilities built before 1990. On or before
5196 February 1, 2012, the Department of Energy and Environmental
5197 Protection shall submit the study, in accordance with the provisions of
5198 section 11-4a of the general statutes, to the joint standing committee of
5199 the General Assembly having cognizance of matters relating to energy.

5200 Sec. 77. (NEW) (*Effective from passage*) Each state agency shall
5201 develop a plan to reduce its energy use by at least ten per cent and
5202 shall submit such plan to the Office of Policy and Management on or
5203 before October 1, 2011. On or before October 1, 2012, and annually
5204 thereafter, each state agency shall report, in accordance with the
5205 provisions of section 11-4a of the general statutes, to the joint standing
5206 committee of the General Assembly having cognizance of matters
5207 relating to energy regarding the plan and its implementation.

5208 Sec. 78. Section 16-245aa of the general statutes is repealed and the
5209 following is substituted in lieu thereof (*Effective July 1, 2011*):

5210 (a) There is established an account to be known as the "municipal
5211 renewable energy and efficient energy grant account", which shall be a
5212 separate, nonlapsing account within the Renewable Energy Investment
5213 Fund, established pursuant to section 16-245n. The account shall
5214 contain any moneys required or permitted by law to be deposited in
5215 the account and any funds received from any public or private
5216 contributions, gifts, grants, donations, bequests or devises to the fund.

5217 [Connecticut Innovations, Incorporated,] The Department of Energy
5218 and Environmental Protection may make grants-in-aid from the fund
5219 in accordance with the provisions of subsection (b) of this section.

5220 (b) [Connecticut Innovations, Incorporated] The Department of
5221 Energy and Environmental Protection, in consultation with the
5222 [Department of Public Utility Control, the] Department of Education
5223 and the Department of Emergency Management and Homeland
5224 Security, shall establish a municipal renewable energy and efficient
5225 energy generation grant program. [Connecticut Innovations,
5226 Incorporated,] The Department of Energy and Environmental
5227 Protection shall make grants under said program to municipalities for
5228 the purchase of (1) renewable energy sources, including solar energy,
5229 geothermal energy and fuel cells or other energy-efficient hydrogen-
5230 fueled energy, or (2) energy-efficient generation sources, including
5231 units providing combined heat-and-power operations with greater
5232 than sixty-five per cent efficiency or such higher efficiency level as
5233 [Connecticut Innovations, Incorporated,] the Department of Energy
5234 and Environmental Protection may prescribe, for municipal buildings.
5235 [Connecticut Innovations, Incorporated,] The Department of Energy
5236 and Environmental Protection shall give priority to applications for
5237 grants for disaster relief centers and high schools. Each grant shall be
5238 in an amount that makes the cost of purchasing and operating the
5239 renewable energy or energy-efficient generation source competitive
5240 with the municipality's current electricity expenses.

5241 (c) On or before October 1, 2007, [Connecticut Innovations,
5242 Incorporated,] the Department of Energy and Environmental
5243 Protection shall develop an application for grants-in-aid under this
5244 section for the purpose of purchasing and operating renewable energy
5245 or energy-efficient generation sources and may receive applications
5246 from municipalities for such grants-in-aid on and after said date.
5247 Applications shall include, but not be limited to, a complete
5248 description of the proposed renewable energy or energy-efficient
5249 generation source.

5250 (d) Commencing with the fiscal year ending June 30, 2008, and for
5251 each of the five consecutive fiscal years thereafter, until the fiscal year
5252 ending June 30, 2012, not less than ten million dollars shall be available
5253 from the municipal renewable energy and efficient energy generation
5254 grant account for grants-in-aid to municipalities for the purpose of
5255 purchasing and operating renewable energy or energy-efficient
5256 generation sources. Any balance of such amount not used for such
5257 grants-in-aid during a fiscal year shall be carried forward for the fiscal
5258 year next succeeding for such grants-in-aid.

5259 (e) On or before January 1, 2009, and annually thereafter,
5260 [Connecticut Innovations, Incorporated,] the Department of Energy
5261 and Environmental Protection shall report on the effectiveness of said
5262 program to the joint standing committee of the General Assembly
5263 having cognizance of matters relating to energy.

5264 Sec. 79. Section 16a-38p of the general statutes is repealed and the
5265 following is substituted in lieu thereof (*Effective July 1, 2011*):

5266 (a) For the purposes described in subsection (b) of this section, the
5267 State Bond Commission shall have the power, from time to time, to
5268 authorize the issuance of bonds of the state in one or more series and
5269 in principal amounts not exceeding in the aggregate ten million
5270 dollars.

5271 (b) The proceeds of the sale of said bonds, to the extent of the
5272 amount stated in subsection (a) of this section, shall be used by
5273 [Connecticut Innovations, Incorporated,] the Department of Energy
5274 and Environmental Protection for the purpose of funding the net
5275 project costs, or the balance of any projects after applying any public or
5276 private financial incentives available, for any renewable energy or
5277 combined heat and power projects in state buildings. The funds shall
5278 be made available through the Renewable Energy Investment Fund,
5279 established pursuant to section 16-245n. Eligible state buildings shall
5280 be Leadership in Energy and Environmental Design (LEED) certified

5281 or in the process of becoming LEED certified or in the process of
5282 becoming LEED silver rating certified or receive a two-globe rating in
5283 the green Globes USA design program or in the process of receiving a
5284 two-globe rating in the Green Globes USA design program.

5285 (c) All provisions of section 3-20, or the exercise of any right or
5286 power granted thereby, which are not inconsistent with the provisions
5287 of this section are hereby adopted and shall apply to all bonds
5288 authorized by the State Bond Commission pursuant to this section, and
5289 temporary notes in anticipation of the money to be derived from the
5290 sale of any such bonds so authorized may be issued in accordance with
5291 said section 3-20 and from time to time renewed. Such bonds shall
5292 mature at such time or times not exceeding twenty years from their
5293 respective dates as may be provided in or pursuant to the resolution or
5294 resolutions of the State Bond Commission authorizing such bonds.
5295 None of said bonds shall be authorized except upon a finding by the
5296 State Bond Commission that there has been filed with it a request for
5297 such authorization which is signed by or on behalf of the [Secretary of
5298 the Office of Policy and Management] Commissioner of Energy and
5299 Environmental Protection and states such terms and conditions as said
5300 commission, in its discretion, may require. Said bonds issued pursuant
5301 to this section shall be general obligations of the state and the full faith
5302 and credit of the state of Connecticut are pledged for the payment of
5303 the principal of and interest on said bonds as the same become due,
5304 and accordingly and as part of the contract of the state with the holders
5305 of said bonds, appropriation of all amounts necessary for punctual
5306 payment of such principal and interest is hereby made, and the State
5307 Treasurer shall pay such principal and interest as the same become
5308 due.

5309 Sec. 80. Section 32-39 of the general statutes is repealed and the
5310 following is substituted in lieu thereof (*Effective July 1, 2011*):

5311 The purposes of the corporation shall be to stimulate and encourage
5312 the research and development of new technologies, businesses and

5313 products, to encourage the creation and transfer of new technologies,
5314 to assist existing businesses in adopting current and innovative
5315 technological processes, to stimulate and provide services to industry
5316 that will advance the adoption and utilization of technology, to
5317 achieve improvements in the quality of products and services, to
5318 stimulate and encourage the development and operation of new and
5319 existing science parks and incubator facilities, and to promote science,
5320 engineering, mathematics and other disciplines that are essential to the
5321 development and application of technology within Connecticut by the
5322 infusion of financial aid for research, invention and innovation in
5323 situations in which such financial aid would not otherwise be
5324 reasonably available from commercial or other sources, and for these
5325 purposes the corporation shall have the following powers:

5326 (1) To have perpetual succession as a body corporate and to adopt
5327 bylaws, policies and procedures for the regulation of its affairs and
5328 conduct of its businesses as provided in section 32-36;

5329 (2) To enter into venture agreements with persons, upon such terms
5330 and on such conditions as are consistent with the purposes of this
5331 chapter, for the advancement of financial aid to such persons for the
5332 research, development and application of specific technologies,
5333 products, procedures, services and techniques, to be developed and
5334 produced in this state, and to condition such agreements upon
5335 contractual assurances that the benefits of increasing or maintaining
5336 employment and tax revenues shall remain in this state and shall
5337 accrue to it;

5338 (3) To solicit, receive and accept aid, grants or contributions from
5339 any source of money, property or labor or other things of value, to be
5340 held, used and applied to carry out the purposes of this chapter,
5341 subject to the conditions upon which such grants and contributions
5342 may be made, including but not limited to, gifts or grants from any
5343 department or agency of the United States or the state;

5344 (4) To invest in, acquire, lease, purchase, own, manage, hold and
5345 dispose of real property and lease, convey or deal in or enter into
5346 agreements with respect to such property on any terms necessary or
5347 incidental to the carrying out of these purposes; provided, however,
5348 that all such acquisitions of real property for the corporation's own use
5349 with amounts appropriated by the state to the corporation or with the
5350 proceeds of bonds supported by the full faith and credit of the state
5351 shall be subject to the approval of the Secretary of the Office of Policy
5352 and Management and the provisions of section 4b-23;

5353 (5) To borrow money or to guarantee a return to the investors in or
5354 lenders to any capital initiative, to the extent permitted under this
5355 chapter;

5356 (6) To hold patents, copyrights, trademarks, marketing rights,
5357 licenses, or any other evidences of protection or exclusivity as to any
5358 products as defined herein, issued under the laws of the United States
5359 or any state or any nation;

5360 (7) To employ such assistants, agents and other employees as may
5361 be necessary or desirable, which employees shall be exempt from the
5362 classified service and shall not be employees, as defined in subsection
5363 (b) of section 5-270; establish all necessary or appropriate personnel
5364 practices and policies, including those relating to hiring, promotion,
5365 compensation, retirement and collective bargaining, which need not be
5366 in accordance with chapter 68, and the corporation shall not be an
5367 employer as defined in subsection (a) of section 5-270; and engage
5368 consultants, attorneys and appraisers as may be necessary or desirable
5369 to carry out its purposes in accordance with this chapter;

5370 (8) To make and enter into all contracts and agreements necessary or
5371 incidental to the performance of its duties and the execution of its
5372 powers under this chapter;

5373 (9) To sue and be sued, plead and be impleaded, adopt a seal and
5374 alter the same at pleasure;

5375 (10) With the approval of the State Treasurer, to invest any funds
5376 not needed for immediate use or disbursement, including any funds
5377 held in reserve, in obligations issued or guaranteed by the United
5378 States of America or the state of Connecticut and in other obligations
5379 which are legal investments for retirement funds in this state;

5380 (11) To procure insurance against any loss in connection with its
5381 property and other assets in such amounts and from such insurers as it
5382 deems desirable;

5383 (12) To the extent permitted under its contract with other persons, to
5384 consent to any termination, modification, forgiveness or other change
5385 of any term of any contractual right, payment, royalty, contract or
5386 agreement of any kind to which the corporation is a party;

5387 (13) To do anything necessary and convenient to render the bonds
5388 to be issued under section 32-41 more marketable;

5389 (14) To acquire, lease, purchase, own, manage, hold and dispose of
5390 personal property, and lease, convey or deal in or enter into
5391 agreements with respect to such property on any terms necessary or
5392 incidental to the carrying out of these purposes;

5393 (15) In connection with any application for assistance under this
5394 chapter, or commitments therefor, to make and collect such fees as the
5395 corporation shall determine to be reasonable;

5396 (16) To enter into venture agreements with persons, upon such
5397 terms and conditions as are consistent with the purposes of this
5398 chapter to provide financial aid to such persons for the marketing of
5399 new and innovative services based on the use of a specific technology,
5400 product, device, technique, service or process;

5401 (17) To enter into limited partnerships or other contractual
5402 arrangements with private and public sector entities as the corporation
5403 deems necessary to provide financial aid which shall be used to make

5404 investments of seed venture capital in companies based in or
5405 relocating to the state in a manner which shall foster additional capital
5406 investment, the establishment of new businesses, the creation of new
5407 jobs and additional commercially-oriented research and development
5408 activity. The repayment of such financial aid shall be structured in
5409 such manner as the corporation deems will best encourage private
5410 sector participation in such limited partnerships or other
5411 arrangements. The board of directors, executive director, officers and
5412 staff of the corporation may serve as members of any advisory or other
5413 board which may be established to carry out the purposes of this
5414 subdivision;

5415 (18) To account for and audit funds of the corporation and funds of
5416 any recipients of financial aid from the corporation;

5417 (19) To advise the Governor, the General Assembly, the
5418 Commissioner of Economic and Community Development and the
5419 Commissioner of Higher Education on matters relating to science,
5420 engineering and technology which may have an impact on state
5421 policies, programs, employers and residents, and on job creation and
5422 retention;

5423 (20) To promote technology-based development in the state;

5424 (21) To encourage and promote the establishment of and, within
5425 available resources, to provide financial aid to advanced technology
5426 centers;

5427 (22) To maintain an inventory of data and information concerning
5428 state and federal programs which are related to the purposes of this
5429 chapter and to serve as a clearinghouse and referral service for such
5430 data and information;

5431 (23) To conduct and encourage research and studies relating to
5432 technological development;

5433 (24) To provide technical or other assistance and, within available
5434 resources, to provide financial aid to the Connecticut Academy of
5435 Science and Engineering, Incorporated, in order to further the
5436 purposes of this chapter;

5437 (25) To recommend a science and technology agenda for the state
5438 that will promote the formation of public and private partnerships for
5439 the purpose of stimulating research, new business formation and
5440 growth and job creation;

5441 (26) To encourage and provide technical assistance and, within
5442 available resources, to provide financial aid to existing manufacturers
5443 and other businesses in the process of adopting innovative technology
5444 and new state-of-the-art processes and techniques;

5445 (27) To recommend state goals for technological development and
5446 to establish policies and strategies for developing and assisting
5447 technology-based companies and for attracting such companies to the
5448 state;

5449 (28) To promote and encourage and, within available resources, to
5450 provide financial aid for the establishment, maintenance and operation
5451 of incubator facilities;

5452 (29) To promote and encourage the coordination of public and
5453 private resources and activities within the state in order to assist
5454 technology-based entrepreneurs and business enterprises;

5455 (30) To provide services to industry that will stimulate and advance
5456 the adoption and utilization of technology and achieve improvements
5457 in the quality of products and services;

5458 (31) To promote science, engineering, mathematics and other
5459 disciplines that are essential to the development and application of
5460 technology;

5461 (32) To coordinate its efforts with existing business outreach centers,

5462 as described in section 32-9qq;

5463 (33) To do all acts and things necessary and convenient to carry out
5464 the purposes of this chapter;

5465 (34) To accept from the department: (A) Financial assistance, (B)
5466 revenues or the right to receive revenues with respect to any program
5467 under the supervision of the department, and (C) loan assets or equity
5468 interests in connection with any program under the supervision of the
5469 department; to make advances to and reimburse the department for
5470 any expenses incurred or to be incurred by it in the delivery of such
5471 assistance, revenues, rights, assets, or interests; to enter into
5472 agreements for the delivery of services by the corporation, in
5473 consultation with the department, the Connecticut Housing Finance
5474 Authority and the Connecticut Development Authority, to third
5475 parties which agreements may include provisions for payment by the
5476 department to the corporation for the delivery of such services; and to
5477 enter into agreements with the department or with the Connecticut
5478 Development Authority or Connecticut Housing Finance Authority for
5479 the sharing of assistants, agents and other consultants, professionals
5480 and employees, and facilities and other real and personal property
5481 used in the conduct of the corporation's affairs;

5482 (35) To transfer to the department: (A) Financial assistance, (B)
5483 revenues or the right to receive revenues with respect to any program
5484 under the supervision of the corporation, and (C) loan assets or equity
5485 interests in connection with any program under the supervision of the
5486 corporation, provided the transfer of such financial assistance,
5487 revenues, rights, assets or interests is determined by the corporation to
5488 be practicable, within the constraints and not inconsistent with the
5489 fiduciary obligations of the corporation imposed upon or established
5490 upon the corporation by any provision of the general statutes, the
5491 corporation's bond resolutions or any other agreement or contract of
5492 the corporation and to have no adverse effect on the tax-exempt status
5493 of any bonds of the state;

5494 (36) With respect to any capital initiative, to create, with one or more
5495 persons, one or more affiliates and to provide, directly or indirectly, for
5496 the contribution of capital to any such affiliate, each such affiliate being
5497 expressly authorized to exercise on such affiliate's own behalf all
5498 powers which the corporation may exercise under this section, in
5499 addition to such other powers provided to it by law;

5500 (37) To provide financial aid to enable biotechnology and other
5501 technology companies to lease, acquire, construct, maintain, repair,
5502 replace or otherwise obtain and maintain production, testing, research,
5503 development, manufacturing, laboratory and related and other
5504 facilities, improvements and equipment;

5505 (38) To provide financial aid to persons developing smart buildings,
5506 as defined in section 32-23d, incubator facilities or other information
5507 technology intensive office and laboratory space;

5508 [(39) To administer the Renewable Energy Investment Fund
5509 established pursuant to section 16-245n;]

5510 [(40)] (39) To provide financial aid to persons developing or
5511 constructing the basic buildings, facilities or installations needed for
5512 the functioning of the media and motion picture industry in this state;

5513 [(41)] (40) To coordinate the development and implementation of
5514 strategies regarding technology-based talent and innovation among
5515 state and quasi-public agencies, including the creation and
5516 administration of the Connecticut Small Business Innovation Research
5517 Office to act as a centralized clearinghouse and provide technical
5518 assistance to applicants in developing small business innovation
5519 research programs in conformity with the federal program established
5520 pursuant to the Small Business Research and Development
5521 Enhancement Act of 1992, P.L. 102-564, as amended, and other
5522 proposals.

5523 Sec. 81. Section 16-245z of the general statutes is repealed and the

5524 following is substituted in lieu thereof (*Effective July 1, 2011*):

5525 Not later than October 1, 2005, the Department of [Public Utility
5526 Control] Energy and Environmental Protection and the Energy
5527 Conservation Management Board, established in section 16-245m, as
5528 amended by this act, shall establish links on their Internet web sites to
5529 the Energy Star program or successor program that promotes energy
5530 efficiency and each electric distribution company shall establish a link
5531 under its conservation programs on its Internet web site to the Energy
5532 Star program or such successor program.

5533 Sec. 82. (NEW) (*Effective July 1, 2011*) (a) On or before January 1,
5534 2012, the Department of Energy and Environmental Protection Bureau
5535 of Energy shall review available financing programs to determine
5536 what exists on the state and national levels and recommend how best
5537 to establish a state program of financing renewable energy and
5538 conservation. The department shall consider various sources of
5539 financing, including, but not limited to, mortgages, bonds and the
5540 establishment of loan loss reserves to leverage private capital,
5541 provided such sources of financing shall not include any ratepayer
5542 contribution.

5543 (b) The department shall report, in accordance with the provisions
5544 of section 11-4a of the general statutes to the joint standing committee
5545 of the General Assembly having cognizance of matters relating to
5546 energy regarding its review conducted pursuant to subsection (a) of
5547 this section.

5548 Sec. 83. (NEW) (*Effective July 1, 2011*) (a) The Department of Energy
5549 and Environmental Protection shall establish a pilot program to
5550 support through loans, grants or power purchase agreements
5551 sustainable practices and economic prosperity of Connecticut farms by
5552 using agricultural waste with on-site anaerobic digestion facilities to
5553 generate electricity and heat. As part of the pilot program, the
5554 department may approve no more than five projects, each of which

5555 shall have a maximum size of five hundred kilowatts. On or before
5556 January 1, 2012, and annually thereafter, the department shall report,
5557 in accordance with the provisions of section 11-4a of the general
5558 statutes, to the joint standing committee of the General Assembly
5559 having cognizance of matters relating to energy regarding the program
5560 established pursuant to this subsection.

5561 (b) The Department of Energy and Environmental Protection shall
5562 establish a virtual net metering pilot program. Such program shall be
5563 open to thirty electric distribution company customers, divided
5564 between the companies as follows: Twenty projects to the company
5565 with a greater service area and ten projects to the company with a
5566 smaller service area. An electric distribution company customer with
5567 more than one account with such company and with meters that are
5568 within one mile of each other shall be eligible for participation in the
5569 program established pursuant to this subsection. On or before January
5570 1, 2012, and annually thereafter, the department shall report, in
5571 accordance with the provisions of section 11-4a of the general statutes,
5572 to the joint standing committee of the General Assembly having
5573 cognizance of matters relating to energy regarding the program
5574 established pursuant to this subsection.

5575 Sec. 84. Section 17b-801 of the general statutes is repealed and the
5576 following is substituted in lieu thereof (*Effective July 1, 2011*):

5577 [(a) The Commissioner of Social Services shall administer a state-
5578 appropriated fuel assistance program to provide, within available
5579 appropriations, fuel assistance to elderly and disabled persons whose
5580 household gross income is above the income eligibility guidelines for
5581 the Connecticut energy assistance program but does not exceed two
5582 hundred per cent of federal poverty guidelines. The income eligibility
5583 guidelines for the state-appropriated fuel assistance program shall be
5584 determined, annually, by the Commissioner of Social Services, in
5585 conjunction with the Secretary of the Office of Policy and
5586 Management. The commissioner may adopt regulations, in accordance

5587 with the provisions of chapter 54, to implement the provisions of this
5588 subsection.

5589 (b) The commissioner shall administer a state-appropriated
5590 weatherization assistance program to provide, within available
5591 appropriations, weatherization assistance in accordance with the
5592 provisions of the state plan implementing the weatherization
5593 assistance block grant program authorized by the federal Low-Income
5594 Home Energy Assistance Act of 1981, and programs of fuel assistance
5595 and weatherization assistance with funds authorized by the federal
5596 Low-Income Home Energy Assistance Act of 1981 and by the U.S.
5597 Department of Energy in accordance with 10 CFR Part 440
5598 promulgated under Title IV of the Energy Conservation and
5599 Production Act, as amended, and oil settlement funds in accordance
5600 with subsections (b) and (c) of section 4-28. The commissioner shall
5601 adopt regulations in accordance with the provisions of chapter 54, (1)
5602 establishing priorities for determining which households shall receive
5603 such weatherization assistance, (2) requiring that such weatherization
5604 assistance for energy conservation measures other than the retrofitting
5605 of heating systems be provided only for any dwelling unit for which
5606 an energy audit has been conducted in accordance with the provisions
5607 of sections 16a-45a to 16a-46c, inclusive, (3) requiring that the only
5608 criterion for determining which energy conservation measures shall be
5609 implemented pursuant to this subsection in any such dwelling unit
5610 shall be the simple payback calculated for each energy conservation
5611 measure recommended in the energy audit conducted for such unit, (4)
5612 establishing the maximum allowable payback period for such energy
5613 conservation measures and (5) establishing conditions for the waiver
5614 of the provisions of subdivisions (1) to (4), inclusive, of this subsection
5615 in the event of emergencies. The programs provided for under this
5616 subsection shall include a program of fuel and weatherization
5617 assistance for emergency shelters for homeless individuals and victims
5618 of domestic violence. The commissioner may adopt regulations, in
5619 accordance with the provisions of chapter 54, to implement and

5620 administer the program of fuel and weatherization assistance for
5621 emergency shelters.]

5622 [(c)] The Commissioner of Social Services shall administer, within
5623 available appropriations, a crime prevention and safety program for
5624 residences occupied by elderly and disabled persons who are eligible
5625 for the weatherization assistance block grant program authorized by
5626 the federal Low-Income Home Energy Assistance Act of 1981 or the
5627 state-appropriated weatherization assistance program. The program
5628 shall be operated through the community action agencies and the
5629 municipal agency responsible for said low income weatherization
5630 program. The program may provide for the purchase and installation,
5631 where necessary, of devices which allow a person inside a dwelling
5632 unit to view the area outside the door, or doors with windows, locks
5633 on windows and doors, and smoke detectors. The installation of
5634 devices under this program shall be done at the time weatherization is
5635 done.

5636 Sec. 85. (NEW) (*Effective July 1, 2011*) (a) The Commissioner of
5637 Energy and Environmental Protection shall administer a state-
5638 appropriated fuel assistance program to provide, within available
5639 appropriations, fuel assistance to elderly and disabled persons whose
5640 household gross income is above the income eligibility guidelines for
5641 the Connecticut energy assistance program but does not exceed two
5642 hundred per cent of federal poverty guidelines. The income eligibility
5643 guidelines for the state-appropriated fuel assistance program shall be
5644 determined, annually, by the Commissioner of Energy and
5645 Environmental Protection, in conjunction with the Secretary of the
5646 Office of Policy and Management. The commissioner may adopt
5647 regulations, in accordance with the provisions of chapter 54 of the
5648 general statutes, to implement the provisions of this subsection.

5649 (b) The commissioner shall administer a state-appropriated
5650 weatherization assistance program to provide, within available
5651 appropriations, weatherization assistance in accordance with the

5652 provisions of the state plan implementing the weatherization
5653 assistance block grant program authorized by the federal Low-Income
5654 Home Energy Assistance Act of 1981, and programs of fuel assistance
5655 and weatherization assistance with funds authorized by the federal
5656 Low-Income Home Energy Assistance Act of 1981 and by the United
5657 States Department of Energy in accordance with 10 CFR Part 440
5658 promulgated under Title IV of the Energy Conservation and
5659 Production Act, as amended, and oil settlement funds in accordance
5660 with subsections (b) and (c) of section 4-28 of the general statutes. The
5661 commissioner shall adopt regulations in accordance with the
5662 provisions of chapter 54 of the general statutes, (1) establishing
5663 priorities for determining which households shall receive such
5664 weatherization assistance, (2) requiring that such weatherization
5665 assistance for energy conservation measures other than the retrofitting
5666 of heating systems be provided only for any dwelling unit for which
5667 an energy audit has been conducted in accordance with the provisions
5668 of sections 16a-45a to 16a-46c, inclusive, of the general statutes, (3)
5669 requiring that the only criterion for determining which energy
5670 conservation measures shall be implemented pursuant to this
5671 subsection in any such dwelling unit shall be the simple payback
5672 calculated for each energy conservation measure recommended in the
5673 energy audit conducted for such unit, (4) establishing the maximum
5674 allowable payback period for such energy conservation measures, and
5675 (5) establishing conditions for the waiver of the provisions of
5676 subdivisions (1) to (4), inclusive, of this subsection in the event of
5677 emergencies. The programs provided for under this subsection shall
5678 include a program of fuel and weatherization assistance for emergency
5679 shelters for homeless individuals and victims of domestic violence. The
5680 commissioner may adopt regulations, in accordance with the
5681 provisions of chapter 54 of the general statutes, to implement and
5682 administer the program of fuel and weatherization assistance for
5683 emergency shelters.

5684 Sec. 86. (NEW) (*Effective July 1, 2011*) There is established within the

5685 Department of Energy and Environmental Protection an Office of
5686 Energy Efficient Businesses. The office shall provide in-state businesses
5687 (1) a single point of contact for any state business interested in energy
5688 efficiency, renewable energy or conservation projects, (2) information
5689 on loans and grants for energy efficiency, renewable energy projects
5690 and conservation, (3) audit and assessment services, including, but not
5691 limited to, outreach to businesses by qualified entities, and (4) any
5692 other service deemed relevant by said office.

5693 Sec. 87. (NEW) (*Effective July 1, 2011*) On and after July 1, 2011, an
5694 electric distribution company, as defined in section 16-1 of the general
5695 statutes, as amended by this act, shall notify the Department of Energy
5696 and Environmental Protection and the joint standing committee of the
5697 General Assembly having cognizance of matters relating to energy
5698 before such company expresses concerns to the independent system
5699 operator, as defined in said section 16-1, identifying any reliability
5700 issues concerning the system.

5701 Sec. 88. (*Effective July 1, 2011*) On or before January 1, 2012, the
5702 Department of Energy and Environmental Protection shall conduct a
5703 cost-effectiveness analysis to compare the use of Class III electricity
5704 credits with long-term contracts for the development of combined heat
5705 and power or efficiency resources. The department shall report the
5706 results of such analysis in accordance with the provisions of section 11-
5707 4a of the general statutes to the joint standing committee of the General
5708 Assembly having cognizance of matters relating to energy on or before
5709 February 1, 2012.

5710 Sec. 89. (NEW) (*Effective July 1, 2011*) (a) On or before January 1,
5711 2012, the Department of Energy and Environmental Protection shall
5712 initiate an uncontested proceeding to establish a feed-in tariff that shall
5713 decline over time to include, but not be limited to, wind, fuel cells,
5714 biomass, geothermal and energy efficiency projects. As a result of such
5715 proceeding, the department shall establish the parameters of such
5716 program, which shall include, but not be limited to, a subject to the cap

5717 established pursuant to section 56 of this act on tariffs established
5718 pursuant to this section and a requirement that no ratepayer money
5719 fund such program.

5720 (b) On or before January 1, 2012, and annually thereafter, the
5721 department shall report, in accordance with the provisions of section
5722 11-4a of the general statutes, to the joint standing committee of the
5723 General Assembly having cognizance of matters relating to energy
5724 regarding the feed-in tariff established pursuant to this section.

5725 Sec. 90. (NEW) (*Effective July 1, 2011*) (a) As used in this section:

5726 (1) "Eligible entity" means (A) any residential, commercial,
5727 institutional or industrial customer of an electric distribution company
5728 or natural gas company, as defined in section 16-1 of the general
5729 statutes, as amended by this act, who employs or installs an eligible in-
5730 state energy savings technology, (B) an energy service company
5731 certified as a Connecticut electric efficiency partner by the Department
5732 of Energy and Environmental Protection, or (C) an installer certified by
5733 the Renewable Energy Investments Fund; and

5734 (2) "Energy savings infrastructure" means tangible equipment,
5735 installation, labor, cost of engineering, permits, application fees and
5736 other reasonable costs incurred by eligible entities for operating
5737 eligible in-state energy savings technologies designed to reduce
5738 electricity consumption, natural gas consumption, heating oil
5739 consumption or promote combined heat and power systems.

5740 (b) The Department of Energy and Environmental Protection shall
5741 establish an energy savings infrastructure pilot program consisting of
5742 financial incentives for the installation of combined heat and power
5743 systems, energy efficient heating oil burners, boilers and furnaces and
5744 natural gas boilers and furnaces by eligible entities. On or before June
5745 30, 2014, the department shall evaluate the efficacy of the program
5746 established pursuant to this section.

5747 (c) (1) On or before October 1, 2011, the department shall begin
5748 accepting applications for financial incentives for combined heat and
5749 power systems of not more than one megawatt of power. To qualify
5750 for such financial incentives, such combined heat and power system
5751 shall reduce energy costs at an amount equal to or greater than the
5752 amount of the installation cost of the system within ten years of the
5753 installation. The department shall review the current market
5754 conditions for such systems, including any existing federal or state
5755 financial incentives, and determine the appropriate financial incentives
5756 under this program necessary to encourage installation of such
5757 systems. These financial incentives may include providing private
5758 financial institutions with loan loss protection or grants to lower
5759 borrowing costs. Financial incentives pursuant to this subdivision shall
5760 not exceed two hundred dollars per kilowatt. A project accepted for
5761 such incentives shall qualify for a waiver of (A) the backup power rate
5762 under section 16-243o of the general statutes, and (B) the requirement
5763 to provide baseload electricity under section 16-243i of the general
5764 statutes. Any purchase of natural gas for any combined heat and
5765 power system installed pursuant to this subdivision shall not include a
5766 distribution charge pursuant to section 16-243l of the general statutes.

5767 (2) On or before December 31, 2011, the department shall begin
5768 accepting applications for financial incentives for the installation of
5769 more efficient fuel oil and natural gas boilers and furnaces that replace
5770 existing boilers or furnaces that are not less than seven years old with
5771 an efficiency rating of not more than seventy-five per cent. A
5772 qualifying fuel oil furnace shall have an efficiency rating of not less
5773 than eighty-six per cent. A qualifying fuel oil boiler shall have an
5774 efficiency rating of not less than eighty-six per cent with thermal purge
5775 or temperature reset controls. A qualifying natural gas boiler shall
5776 have an annual fuel utilization efficiency rating of not less than ninety
5777 per cent and a qualifying natural gas furnace shall have an annual fuel
5778 utilization efficiency rating of not less than ninety-five per cent. The
5779 department shall review the current market conditions for such

5780 systems and equipment upgrades, including, but not limited to, any
5781 existing federal or state financial incentives, and establish the
5782 appropriate financial incentives under this program necessary to
5783 encourage such upgrades. Financial incentives shall provide private
5784 financial institutions with loan loss protection or grants to lower
5785 borrowing costs and, if the department deems it necessary, grants to
5786 the lending financial institution to lower borrowing costs and allow for
5787 a ten-year loan. Such financial incentive package shall ensure that the
5788 annual loan payment by the applicant shall be at not more than the
5789 projected annual energy savings less one hundred dollars. Any loan
5790 provided as a financial incentive pursuant to this subdivision shall
5791 include the cost of any related incentives, as determined by the
5792 department. The department shall arrange with an electric distribution
5793 or gas company to provide for payment of any loan made as financial
5794 assistance under this subdivision through the loan recipient's monthly
5795 electric or gas bill, as applicable.

5796 (d) Eligible entities seeking a loan under the loan program
5797 established in this section shall (1) contract with Connecticut-based
5798 licensed contractors, installers or tradesmen for the installation of an
5799 eligible in-state energy savings technology; (2) provide evidence of the
5800 cost of purchase and installation of the eligible in-state energy savings
5801 technology; and (3) periodically provide evidence of the operation and
5802 functionality of the eligible in-state energy savings technology to
5803 ensure that such technology is operating as intended during the term
5804 of the loan.

5805 (e) The department shall develop a prescriptive one-page loan
5806 application. Such application shall include, but not be limited to: (1)
5807 Detailed information, specifications and documentation of the eligible
5808 in-state energy technology's installed costs and projected energy
5809 savings, and (2) for requests for loans in excess of one hundred
5810 thousand dollars, certification by a licensed professional engineer,
5811 licensed contractor, installer or tradesman with a state license held in
5812 good standing.

5813 (f) On or before October 1, 2011, the department shall establish a
5814 plan that includes procedures and parameters for its energy savings
5815 infrastructure pilot program established pursuant to this section.

5816 (g) On or before October 1, 2014, the department shall, in
5817 accordance with the provisions of section 11-4a of the general statutes,
5818 report to the joint standing committee of the General Assembly having
5819 cognizance of matters relating to energy with regard to the projects
5820 assisted by the energy savings infrastructure pilot program established
5821 pursuant to this section, the amount of public funding, the energy
5822 savings from the technologies installed and any recommendations for
5823 changes to the program, including, but not limited to, incentives that
5824 encourage consumers to install more efficient fuel oil and natural gas
5825 boilers and furnaces prior to failure or gross inefficiency of their
5826 current heating system.

5827 Sec. 91. Section 16-243i of the general statutes is repealed and the
5828 following is substituted in lieu thereof (*Effective July 1, 2011*):

5829 [(a)] The Department of [Public Utility Control] Energy and
5830 Environmental Protection shall, not later than January 1, [2006] 2012,
5831 establish a program to [grant awards to retail end use customers of
5832 electric distribution companies to fund the capital costs of obtaining
5833 projects of customer-side distributed resources, as defined in section
5834 16-1. Any project shall receive a one-time, nonrecurring award in an
5835 amount of not less than two hundred dollars and not more than five
5836 hundred dollars per kilowatt of capacity for such customer-side
5837 distributed resources, recoverable from federally mandated congestion
5838 charges, as defined in section 16-1. No such award may be made
5839 unless the projected reduction in federally mandated congestion
5840 charges attributed to the project for such distributed resources is
5841 greater than the amount of the award. The amount of an award shall
5842 depend on the impact that the customer-side distributed resources
5843 project has on reducing federally mandated congestion charges, as
5844 defined in section 16-1. Not later than October 1, 2005, the department

5845 shall conduct a contested case proceeding, in accordance with chapter
5846 54, to establish additional standards for the amount of such awards
5847 and additional criteria and the process for making such awards.

5848 (b) The Department of Public Utility Control shall, not later than
5849 January 1, 2006, establish a program to grant to an electric distribution
5850 company a one-time, nonrecurring award to educate, assist and
5851 promote investments in customer-side distributed resources
5852 developed in such company's service territory, which resources the
5853 department determines will reduce federally mandated congestion
5854 charges, in accordance with the following: (1) On or before January 1,
5855 2008, two hundred dollars per kilowatt of such resources, (2) on or
5856 before January 1, 2009, one hundred fifty dollars per kilowatt of such
5857 resources, (3) on or before January 1, 2010, one hundred dollars per
5858 kilowatt of such resources, and (4) fifty dollars per kilowatt of such
5859 resources thereafter. Payment of the award shall be made at the time
5860 each such resource becomes operational. The cost of the award shall be
5861 recoverable from federally mandated congestion charges. Revenues
5862 from such awards shall not be included in calculating the electric
5863 distribution company's earnings for the purpose of determining
5864 whether its rates are just and reasonable under sections 16-19, 16-19a
5865 and 16-19e] promote the development of new combined heat and
5866 power projects in Connecticut through low-interest loans, grants or
5867 power purchase agreements. The amount of such loans, grants and
5868 power purchase agreements shall be determined by the department on
5869 an individualized basis for each proposed combined heat and power
5870 project with the goal of minimizing costs to the general class of
5871 ratepayers, ensuring that the project developer has a significant share
5872 of the financial burden and risk, while ensuring the development of
5873 projects that benefit Connecticut's economy, ratepayers or
5874 environment. The department shall determine if the benefits of such
5875 project to Connecticut's ratepayers, economy or environment are
5876 sufficient to justify ratepayer investment. The program established
5877 pursuant to this section shall not exceed two hundred fifty megawatts,

5878 and the department shall review the program annually. If the
5879 department determines during an annual review that the net cost to
5880 ratepayers of this program exceeds twenty-five million dollars, the
5881 department shall not approve additional projects that require
5882 ratepayer subsidies. For purposes of department review of the net cost
5883 to ratepayers of the program, the department shall take into account
5884 both (1) the benefits of any power purchase agreements for ratepayers,
5885 any estimated benefits of avoided costs of building alternative electric
5886 infrastructure, or other benefits, and (2) the costs of all ratepayer
5887 subsidies, the cost of power purchase agreements, and other costs.

5888 (c) (1) The Department of Energy and Environmental Protection
5889 shall on or before March 1, 2012, establish a program to promote the
5890 development of new combined heat and power projects in Connecticut
5891 that are below three megawatts in capacity size. The department shall
5892 set one or more standardized grant amounts, loan amounts and power
5893 purchase agreements for such projects to limit the administrative
5894 burden of project approvals for the department and the project
5895 proponent. Such standardized provisions shall seek to minimize costs
5896 for the general class of ratepayers, ensuring that the project developer
5897 has a significant share of the financial burden and risk, while ensuring
5898 the development of projects that benefit Connecticut's economy,
5899 ratepayers, or environment. The department may in its discretion
5900 decline to support a proposed project if the benefits of such project to
5901 Connecticut's ratepayers, economy or environment, including
5902 emissions reductions, are too meager to justify ratepayer or taxpayer
5903 investment.

5904 (2) The program established pursuant to this section shall not
5905 exceed fifty megawatts, and the department shall review the program
5906 annually. If the department determines during an annual review that
5907 the net cost to ratepayers of this program exceeds fifteen million
5908 dollars, the department shall not approve additional projects that
5909 require ratepayer subsidies. For purposes of department review of the
5910 net cost to ratepayers of the program, the department shall take into

5911 account both (1) the benefits of any power purchase agreements for
 5912 ratepayers, any estimated benefits of avoided costs of building
 5913 alternative electric infrastructure, or other benefits, and (2) the costs of
 5914 all ratepayer subsidies, the cost of power purchase agreements, and
 5915 other costs.

5916 Sec. 92. Subsection (b) of section 7-233e of the general statutes is
 5917 amended by adding subdivision (30) as follows (*Effective July 1, 2011*):

5918 (NEW) (30) To bid on standard service pursuant to section 16-244c
 5919 of the general statutes.

5920 Sec. 93. (NEW) (*Effective July 1, 2011*) The Department of Energy and
 5921 Environmental Protection shall develop with leading research and
 5922 academic institutions a set of innovation hubs, including, but not
 5923 limited to, electric vehicle infrastructure and electricity storage.

5924 Sec. 94. Sections 16-1b, 16-19uu and 16-261a of the general statutes
 5925 and section 139 of public act 10-179 are repealed. (*Effective July 1, 2011*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	New section
Sec. 2	<i>July 1, 2011</i>	4-5
Sec. 3	<i>July 1, 2011</i>	4-38c
Sec. 4	<i>July 1, 2011</i>	4-67e
Sec. 5	<i>July 1, 2011</i>	4b-47(a) and (b)
Sec. 6	<i>July 1, 2011</i>	4d-90(a)
Sec. 7	<i>July 1, 2011</i>	4d-100(a)
Sec. 8	<i>July 1, 2011</i>	16-1
Sec. 9	<i>July 1, 2011</i>	16-2
Sec. 10	<i>July 1, 2011</i>	16-2c
Sec. 11	<i>July 1, 2011</i>	16-8(a) and (b)
Sec. 12	<i>July 1, 2011</i>	16-50j
Sec. 13	<i>July 1, 2011</i>	16a-3
Sec. 14	<i>July 1, 2011</i>	16a-3c
Sec. 15	<i>July 1, 2011</i>	16a-4

Sec. 16	July 1, 2011	16a-7b(b)
Sec. 17	July 1, 2011	16a-7c(a)
Sec. 18	July 1, 2011	16a-22c
Sec. 19	July 1, 2011	16a-23t(f)
Sec. 20	July 1, 2011	16a-37w
Sec. 21	July 1, 2011	16a-38k(b)
Sec. 22	July 1, 2011	16a-39
Sec. 23	July 1, 2011	16a-40
Sec. 24	July 1, 2011	16a-41b
Sec. 25	July 1, 2011	16a-46
Sec. 26	July 1, 2011	16a-46c
Sec. 27	July 1, 2011	21a-86a
Sec. 28	July 1, 2011	21a-86c(a)
Sec. 29	July 1, 2011	22a-174l
Sec. 30	July 1, 2011	22a-1b
Sec. 31	July 1, 2011	22a-2
Sec. 32	July 1, 2011	22a-5
Sec. 33	July 1, 2011	22a-11
Sec. 34	July 1, 2011	22a-119(e)
Sec. 35	July 1, 2011	22a-198
Sec. 36	July 1, 2011	22a-354i
Sec. 37	July 1, 2011	22a-354w
Sec. 38	July 1, 2011	22a-371(d)
Sec. 39	July 1, 2011	23-8
Sec. 40	July 1, 2011	23-102
Sec. 41	July 1, 2011	25-32i
Sec. 42	July 1, 2011	25-33o
Sec. 43	July 1, 2011	25-157
Sec. 44	July 1, 2011	28-24
Sec. 45	July 1, 2011	16a-48
Sec. 46	July 1, 2011	16-245m
Sec. 47	July 1, 2011	16-245n
Sec. 48	July 1, 2011	16a-3a
Sec. 49	<i>from passage</i>	New section
Sec. 50	July 1, 2011	New section
Sec. 51	July 1, 2011	New section
Sec. 52	July 1, 2011	16-244c
Sec. 53	July 1, 2011	16-245d
Sec. 54	July 1, 2011	16-245o

Sec. 55	July 1, 2011	16-245(g)
Sec. 56	July 1, 2011	New section
Sec. 57	July 1, 2011	New section
Sec. 58	July 1, 2011	New section
Sec. 59	July 1, 2011	New section
Sec. 60	July 1, 2011	New section
Sec. 61	July 1, 2011	New section
Sec. 62	July 1, 2011	New section
Sec. 63	July 1, 2011	New section
Sec. 64	July 1, 2011	New section
Sec. 65	October 1, 2011	New section
Sec. 66	July 1, 2011	New section
Sec. 67	July 1, 2011	New section
Sec. 68	July 1, 2011	16-32f(b)
Sec. 69	July 1, 2011	16-243v(e)
Sec. 70	July 1, 2011	New section
Sec. 71	July 1, 2011	New section
Sec. 72	July 1, 2011	New section
Sec. 73	from passage	New section
Sec. 74	July 1, 2011	7-148(c)(6)(B)
Sec. 75	July 1, 2011	New section
Sec. 76	from passage	New section
Sec. 77	from passage	New section
Sec. 78	July 1, 2011	16-245aa
Sec. 79	July 1, 2011	16a-38p
Sec. 80	July 1, 2011	32-39
Sec. 81	July 1, 2011	16-245z
Sec. 82	July 1, 2011	New section
Sec. 83	July 1, 2011	New section
Sec. 84	July 1, 2011	17b-801
Sec. 85	July 1, 2011	New section
Sec. 86	July 1, 2011	New section
Sec. 87	July 1, 2011	New section
Sec. 88	July 1, 2011	New section
Sec. 89	July 1, 2011	New section
Sec. 90	July 1, 2011	New section
Sec. 91	July 1, 2011	16-243i
Sec. 92	July 1, 2011	7-233e(b)
Sec. 93	July 1, 2011	New section

Sec. 94	July 1, 2011	Repealer section
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Statement of Purpose:

To reduce energy costs and promote renewable energy.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. WILLIAMS, 29th Dist.; SEN. LOONEY, 11th Dist.
SEN. FONFARA, 1st Dist.

S.B. 1