



Page 16 line 12

**WRITTEN TESTIMONY OF THE
CONNECTICUT SITING COUNCIL**

SUBMITTED TO THE ENERGY AND TECHNOLOGY COMMITTEE

**IN REFERENCE TO RAISED BILL NO. 5474
AN ACT CONCERNING
THE AUTONOMY OF THE PUBLIC UTILITIES REGULATORY AUTHORITY
MARCH 15, 2012**

Good afternoon Senator Fonfara, Representative Nardello, ranking and distinguished members of the Energy and Technology Committee.

Thank you for the opportunity to provide testimony in connection with Raised Bill No. 5474 An Act Concerning the Autonomy of the Public Utilities Regulatory Authority (PURA).

Sections 11 and 17 of this bill seek to create an enforcement division within PURA that will serve both PURA and the Connecticut Siting Council (Council). This division will be tasked with reviewing open orders issued by both agencies; investigating potential violations of such orders; conducting enforcement proceedings and assessing administrative penalties.

While section 16-50u of the current statutes provides the Council with a vehicle for the enforcement of certificate and standards requirements, such enforcement must be referred to the Attorney General and is a long and cumbersome process. We understand that Raised Bill No. 5474 serves to strengthen enforcement measures and shorten this process. On that basis, we are very much in support of the bill. However, we would like to note for the record that section 17(d) should specifically name the Council in addition to the Authority as the issuer of an order or decision to be reviewed or acted upon by the newly created Division.

Section 17(d) also requires an initial and thereafter, an annual review of orders and decisions. We definitely agree that an initial review should be mandated but respectfully request that the language for the Council dockets and petitions be changed to "Not later than one year after construction is complete". Often construction of the facilities we approve does not begin within a year of approval. We also suggest that subsequent reviews of Council decisions be conducted on an as needed rather than an annual basis. The Council issues in excess of 50 docket and petition decisions a year related to facility construction and environmental impact. Unlike PURA decisions, they do not expire, and on a cumulative basis, the requirement to perform an annual review of each docket or petition would quickly become overly burdensome.

In summary, I would like to repeat that we find this proposed legislation serves to strengthen the enforcement capability of the Siting Council and shorten the process for relief. On that basis, we strongly support the passage of Raised Bill No 5474.

Linda Roberts
Executive Director