



General Assembly

**Proposed Substitute
Bill No. 5542**

February Session, 2012

LCO No. 2840

**AN ACT CONCERNING CONSUMER PROTECTION FOR UTILITY
CUSTOMERS.**

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

1 Section 1. Section 16-44a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Each public service company, as defined in section 16-1,
4 regulated pursuant to sections 16-19 and 16-19e and serving more than
5 three thousand three hundred customers shall (1) on each customer's
6 bill, notify customers at least annually that a listing of the salaries, and
7 other forms of compensation, of its directors and officers and the
8 salaries, and other forms of compensation, of the directors and officers
9 of any holding company, as defined in section 16-47, that controls such
10 public service company can be obtained from the Public Utilities
11 Regulatory Authority at the customer's request, and (2) not later than
12 July first, annually, submit to the authority a listing of the salaries, and
13 other forms of compensation, of all its directors and officers and the
14 salaries, and other forms of compensation, of the directors and officers

15 of any holding company that controls such public service company,
16 during the preceding fiscal year. [Any such public service company
17 that files Securities and Exchange Commission Form 10-K, Part III with
18 the authority pursuant to an order of the authority shall be deemed to
19 be in compliance with subdivision (2) of this subsection.]

20 (b) The authority shall maintain and make available to the public a
21 listing of the salaries, and other forms of compensation, of directors
22 and officers of each public service company regulated pursuant to
23 sections 16-19 and 16-19e and serving more than three thousand three
24 hundred customers and the salaries, and other forms of compensation,
25 of directors and officers of any holding company that controls such
26 public service company. The authority shall mail such listing to any
27 person that requests it.

28 (c) No public service company or holding company that controls a
29 public service company may compensate any director, officer,
30 executive or employee an amount exceeding three hundred fifty
31 thousand dollars annually using funds received from ratepayers of
32 such public service company. No public service company or holding
33 company may increase the level of compensation of any director,
34 officer, executive or employee above three hundred fifty thousand
35 dollars annually based upon such director's, officer's, executive's or
36 employee's employment by more than one public service or holding
37 company. The compensation for such director, officer, executive or
38 employee from shareholder funds shall not be limited by the
39 provisions of this subsection.

40 Sec. 2. (NEW) (*Effective from passage*) Each electric company and
41 electric distribution company shall reimburse any residential customer
42 of such company for spoilage loss to any food items or refrigerated
43 medications caused by a lack of refrigeration during any electric
44 service outage lasting longer than forty-eight hours, provided (1) such
45 reimbursement shall not exceed one hundred fifty dollars for any such
46 outage for food items and two hundred dollars for any such outage for

47 refrigerated medications, (2) such customer files an application for
48 reimbursement with such company not later than thirty days after
49 electric service is restored, (3) such customer submits with such
50 application an itemized list of any spoiled food items or refrigerated
51 medications and proof of such spoilage loss, and (4) (A) such
52 customer's household income is not greater than sixty per cent of the
53 state median income at the time of such outage, (B) such customer or a
54 member of such customer's household received benefits from a food
55 assistance program administered by the Department of Social Services
56 pursuant to subdivision (9) of section 17b-2 of the general statutes or
57 section 17b-790a of the general statutes at the time of such outage, or
58 (C) such customer's household received assistance from an energy
59 assistance program implemented pursuant to section 16a-41a of the
60 general statutes not more than twelve months prior to such outage.
61 Such proof may include, but not be limited to, any credit card
62 statement, bank statement, receipt or check demonstrating that such
63 customer purchased such food items or medication or any photograph
64 of such spoiled food items or medication. Upon approving such
65 application, such company shall reimburse such customer in the form
66 of a credit on such customer's bill. Such company shall recover the
67 amount of such credit through the systems benefits charge established
68 pursuant to section 16-245l of the general statutes, as amended by this
69 act. The total amount of any such reimbursements shall not exceed ten
70 million dollars annually.

71 Sec. 3. (NEW) (*Effective from passage*) (a) No public service company,
72 holder of a certificate of video franchise authority, electric supplier or
73 telecommunications company, as those terms are defined in section 16-
74 1 of the general statutes, shall assess any late fee to any customer of
75 such company or holder for failure to timely pay such customer's
76 monthly bill if the due date of such bill occurs during any period in
77 which such customer was without service for more than twenty-four
78 consecutive hours, provided such customer was not without service
79 due to such customer's nonpayment. Nothing in this subsection shall
80 prohibit any such company, holder or supplier from assessing any late

81 fee on any subsequent monthly bill.

82 (b) Each public service company, holder of a certificate of video
83 franchise authority, electric supplier or telecommunications company,
84 as those terms are defined in section 16-1 of the general statutes, shall
85 credit the monthly bill of any customer of such company or holder if
86 such company or holder fails to provide service to such customer for
87 more than twenty-four consecutive hours during any monthly billing
88 period, provided such customer was not without service for such
89 customer's nonpayment. Such credit shall be in an amount equal to
90 such customer's daily service charges and fixed charges multiplied by
91 the number of days such company or holder failed to provide service
92 to such customer.

93 Sec. 4. Subsection (a) of section 16-245~~l~~ of the general statutes is
94 repealed and the following is substituted in lieu thereof (*Effective from*
95 *passage*):

96 (a) The Public Utilities Regulatory Authority shall establish and
97 each electric distribution company shall collect a systems benefits
98 charge to be imposed against all end use customers of each electric
99 distribution company beginning January 1, 2000. The authority shall
100 hold a hearing that shall be conducted as a contested case in
101 accordance with chapter 54 to establish the amount of the systems
102 benefits charge. The authority may revise the systems benefits charge
103 or any element of said charge as the need arises. The systems benefits
104 charge shall be used to fund (1) the expenses of the public education
105 outreach program developed under subsections (a), (f) and (g) of
106 section 16-244d other than expenses for authority staff, (2) the
107 reasonable and proper expenses of the education outreach consultant
108 pursuant to subsection (d) of section 16-244d, (3) the cost of hardship
109 protection measures under sections 16-262c and 16-262d and other
110 hardship protections, including, but not limited to, electric service bill
111 payment programs, funding and technical support for energy
112 assistance, fuel bank and weatherization programs and weatherization

113 services, (4) the payment program to offset tax losses described in
114 section 12-94d, (5) any sums paid to a resource recovery authority
115 pursuant to subsection (b) of section 16-243e, (6) low income
116 conservation programs approved by the Public Utilities Regulatory
117 Authority, (7) displaced worker protection costs, (8) unfunded storage
118 and disposal costs for spent nuclear fuel generated before January 1,
119 2000, approved by the appropriate regulatory agencies, (9)
120 postretirement safe shutdown and site protection costs that are
121 incurred in preparation for decommissioning, (10) decommissioning
122 fund contributions, (11) the costs of temporary electric generation
123 facilities incurred pursuant to section 16-19ss, (12) operating expenses
124 for the Connecticut Energy Advisory Board, (13) costs associated with
125 the Connecticut electric efficiency partner program established
126 pursuant to section 16-243v, (14) reinvestments and investments in
127 energy efficiency programs and technologies pursuant to section 16a-
128 38l, costs associated with the electricity conservation incentive
129 program established pursuant to section 119 of public act 07-242, [and]
130 (15) legal, appraisal and purchase costs of a conservation or land use
131 restriction and other related costs as the authority in its discretion
132 deems appropriate, incurred by a municipality on or before January 1,
133 2000, to ensure the environmental, recreational and scenic preservation
134 of any reservoir located within this state created by a pump storage
135 hydroelectric generating facility, and (16) the cost of any credit to any
136 residential customer for spoilage loss of any food items or refrigerated
137 medications pursuant to section 2 of this act. As used in this
138 subsection, "displaced worker protection costs" means the reasonable
139 costs incurred, prior to January 1, 2008, (A) by an electric supplier,
140 exempt wholesale generator, electric company, an operator of a
141 nuclear power generating facility in this state or a generation entity or
142 affiliate arising from the dislocation of any employee other than an
143 officer, provided such dislocation is a result of (i) restructuring of the
144 electric generation market and such dislocation occurs on or after July
145 1, 1998, or (ii) the closing of a Title IV source or an exempt wholesale
146 generator, as defined in 15 USC 79z-5a, on or after January 1, 2004, as a

147 result of such source's failure to meet requirements imposed as a result
148 of sections 22a-197 and 22a-198 and this section or those Regulations of
149 Connecticut State Agencies adopted by the Department of Energy and
150 Environmental Protection, as amended from time to time, in
151 accordance with Executive Order Number 19, issued on May 17, 2000,
152 and provided further such costs result from either the execution of
153 agreements reached through collective bargaining for union
154 employees or from the company's or entity's or affiliate's programs
155 and policies for nonunion employees, and (B) by an electric
156 distribution company or an exempt wholesale generator arising from
157 the retraining of a former employee of an unaffiliated exempt
158 wholesale generator, which employee was involuntarily dislocated on
159 or after January 1, 2004, from such wholesale generator, except for
160 cause. "Displaced worker protection costs" includes costs incurred or
161 projected for severance, retraining, early retirement, outplacement,
162 coverage for surviving spouse insurance benefits and related expenses.
163 "Displaced worker protection costs" does not include those costs
164 included in determining a tax credit pursuant to section 12-217bb.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-44a
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	16-245l(a)