



General Assembly

**Proposed Substitute
Bill No. 415**

February Session, 2012

LCO No. 2841

AN ACT CONCERNING THE OPERATIONS OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, THE ESTABLISHMENT OF A COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM, WATER CONSERVATION AND THE OPERATIONS OF THE CLEAN ENERGY FINANCE AND INVESTMENT AUTHORITY.

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

1 Section 1. Subdivision (52) of subsection (a) of section 16-1 of the
2 2012 supplement to the general statutes is repealed and the following
3 is substituted in lieu thereof (*Effective from passage*):

4 (52) "Commissioner of Energy and Environmental Protection"
5 means the Commissioner of Energy and Environmental Protection
6 appointed pursuant to title 4, or the commissioner's designee.

7 Sec. 2. Section 16-2 of the 2012 supplement to the general statutes is
8 repealed and the following is substituted in lieu thereof (*Effective from*
9 *passage*):

10 (a) There shall continue to be a Public Utilities Regulatory Authority
11 within the Department of Energy and Environmental Protection,
12 which shall consist of three electors of this state, appointed by the
13 Governor with the advice and consent of both houses of the General
14 Assembly. Not more than two members of said authority in office at
15 any one time shall be members of any one political party. On or before
16 July 1, 2011, the Governor shall appoint three members to the
17 authority. The first director appointed by the Governor on or before
18 July 1, 2011, who is of the same political party as that of the Governor
19 shall serve a term of five years. The second director appointed by the
20 Governor on or before July 1, 2011, who is of the same political party
21 as that of the Governor shall serve a term of four years. The first
22 director appointed by the Governor on or before July 1, 2011, who is of
23 a different political party as that of the Governor shall serve a term of
24 three years. Any director appointed on or after January 1, 2014, shall
25 serve a term of four years. The procedure prescribed by section 4-7
26 shall apply to such appointments, except that the Governor shall
27 submit each nomination on or before May first, and both houses shall
28 confirm or reject it before adjournment sine die. The directors shall be
29 sworn to the faithful performance of their duties. The term of any
30 commissioner serving on June 30, 2011, shall be terminated.

31 (b) The authority shall elect a chairperson and vice-chairperson each
32 June for one-year terms starting on July first of the same year. The vice-
33 chairperson shall perform the duties of the chairperson in his or her
34 absence.

35 (c) Any matter coming before the authority may be assigned by the
36 chairperson to a panel of one or more directors. Except as otherwise
37 provided by statute or regulation, the panel shall determine whether a
38 public hearing shall be held on the matter, and may designate one or
39 two of its members to conduct such hearing or [request the
40 appointment of] may assign a hearing officer to ascertain the facts and
41 report thereon to the panel. The decision of the panel, if unanimous,
42 shall be the decision of the authority. If the decision of the panel is not

43 unanimous, the matter shall be approved by a majority vote of the
44 [panel] directors of the authority.

45 (d) The directors of the authority shall serve full time and shall
46 make full public disclosure of their assets, liabilities and income at the
47 time of their appointment, and thereafter each member of the authority
48 shall make such disclosure on or before July thirtieth of each year of
49 such member's term, and shall file such disclosure with the office of
50 the Secretary of the State. Each director shall receive annually a salary
51 equal to that established for management pay plan salary group
52 seventy-five by the Commissioner of Administrative Services, except
53 that the chairperson shall receive annually a salary equal to that
54 established for management pay plan salary group seventy-seven.

55 (e) To insure the highest standard of public utility regulation, on
56 and after October 1, 2007, any newly appointed director of the
57 authority shall have education or training and three or more years of
58 experience in one or more of the following fields: Economics,
59 engineering, law, accounting, finance, utility regulation, public or
60 government administration, consumer advocacy, business
61 management, and environmental management. On and after July 1,
62 1997, at least three of these fields shall be represented on the authority
63 by individual directors at all times. Any time a director is newly
64 appointed, at least one of the directors shall have experience in utility
65 customer advocacy.

66 (f) The chairperson of the authority, with the approval of the
67 Commissioner of Energy and Environmental Protection, shall
68 prescribe the duties of the staff assigned to the authority in order to (1)
69 conduct comprehensive planning with respect to the functions of the
70 authority; (2) coordinate the activities of the authority; (3) cause the
71 administrative organization of the authority to be examined with a
72 view to promoting economy and efficiency; (4) organize the authority
73 into such divisions, bureaus or other units as necessary for the efficient
74 conduct of the business of the authority and may from time to time

75 make recommendations to the commissioner regarding staff and
76 resources; (5) for any proceeding on a proposed rate amendment in
77 which staff of the authority are to be made a party pursuant to section
78 16-19j, determine which staff shall appear and participate in the
79 proceedings and which shall serve the members of the authority; (6)
80 enter into such contractual agreements, in accordance with established
81 procedures, as may be necessary for the discharge of the authority's
82 duties; (7) subject to the provisions of section 4-32, and unless
83 otherwise provided by law, receive any money, revenue or services
84 from the federal government, corporations, associations or individuals,
85 including payments from the sale of printed matter or any other
86 material or services; and (8) require the staff of the authority to have
87 expertise in public utility engineering and accounting, finance,
88 economics, computers and rate design.

89 (g) No director of the authority or employee of the Department of
90 Energy and Environmental Protection assigned to work with the
91 authority shall [, while serving as such or during such assignment,]
92 have any interest, financial or otherwise, direct or indirect, or engage
93 in any business, employment, transaction or professional activity, or
94 incur any obligation of any nature, which is in substantial conflict with
95 the proper discharge of his or her duties or employment in the public
96 interest and of his or her responsibilities as prescribed in the laws of
97 this state, as defined in section 1-85, concerning any matter within the
98 jurisdiction of the authority; provided, no such substantial conflict
99 shall be deemed to exist solely by virtue of the fact that a director of
100 the authority or employee of the department assigned to work with the
101 authority, or any business in which such a person has an interest,
102 receives utility service from one or more Connecticut utilities under
103 the normal rates and conditions of service.

104 (h) No member of the authority or employee of the department
105 assigned to work with the authority, during such assignment, shall
106 accept other employment which will either impair his or her
107 independence of judgment as to his or her official duties or

108 employment or require him or her, or induce him or her, to disclose
109 confidential information acquired by him or her in the course of and
110 by reason of his or her official duties.

111 (i) No director of the authority or employee of the department
112 assigned to work with the authority, during such assignment, shall
113 wilfully and knowingly disclose, for pecuniary gain, to any other
114 person, confidential information acquired by him or her in the course
115 of and by reason of his or her official duties or employment or use any
116 such information for the purpose of pecuniary gain.

117 (j) No director of the authority or employee of the department
118 assigned to work with the authority, during such assignment, shall
119 agree to accept, or be in partnership or association with any person, or
120 a member of a professional corporation or in membership with any
121 union or professional association which partnership, association,
122 professional corporation, union or professional association agrees to
123 accept any employment, fee or other thing of value, or portion thereof,
124 in consideration of his or her appearing, agreeing to appear, or taking
125 any other action on behalf of another person before the authority, the
126 Connecticut Siting Council, the Office of Policy and Management or
127 the Commissioner of Energy and Environmental Protection.

128 (k) No director of the authority shall, for a period of one year
129 following the termination of his or her service as a director, accept
130 employment: (1) By a public service company or by any person, firm or
131 corporation engaged in lobbying activities with regard to
132 governmental regulation of public service companies; (2) by a certified
133 telecommunications provider or by any person, firm or corporation
134 engaged in lobbying activities with regard to governmental regulation
135 of persons, firms or corporations so certified; or (3) by an electric
136 supplier or by any person, firm or corporation engaged in lobbying
137 activities with regard to governmental regulation of electric suppliers.
138 No such director who is also an attorney shall in any capacity, appear
139 or participate in any matter, or accept any compensation regarding a

140 matter, before the authority, for a period of one year following the
141 termination of his or her service as a director.

142 (l) The Public Utilities Regulatory Authority shall include a
143 procurement manager whose duties shall include, but not be limited
144 to, overseeing the procurement of electricity for standard service and
145 who shall have experience in energy markets and procuring energy on
146 a commercial scale.

147 Sec. 3. Section 16-3 of the 2012 supplement to the general statutes is
148 repealed and the following is substituted in lieu thereof (*Effective from*
149 *passage*):

150 If any director vacancy occurs in said Public Utilities Regulatory
151 Authority at any time when the General Assembly is not in session, the
152 Governor shall appoint a director to fill such vacancy until such
153 vacancy is filled at the next session of the General Assembly. [Any
154 other vacancy shall be filled, for the unexpired portion of the term, in
155 the manner provided in section 16-2.]

156 Sec. 4. Section 16-6b of the 2012 supplement to the general statutes is
157 repealed and the following is substituted in lieu thereof (*Effective from*
158 *passage*):

159 The Public Utilities Regulatory Authority, in consultation with the
160 [Department] Commissioner of Energy and Environmental Protection,
161 may, in accordance with chapter 54, adopt such regulations with
162 respect to: [rates] (1) Rates and charges, services, accounting practices,
163 safety and the conduct of operations generally of public service
164 companies subject to its jurisdiction as it deems reasonable and
165 necessary; [. The department in consultation with the authority may, in
166 accordance with chapter 54, adopt such regulations with respect to] (2)
167 services, accounting practices, safety and the conduct of operations
168 generally of electric suppliers subject to its jurisdiction as it deems
169 reasonable and necessary; [. After consultation with the Secretary of
170 the Office of Policy and Management, the department may also adopt

171 regulations, in accordance with chapter 54,] and (3) establishing
172 standards, in accordance with the department's policies, for systems
173 utilizing cogeneration technology and renewable fuel resources.

174 Sec. 5. Section 16-7 of the 2012 supplement to the general statutes is
175 repealed and the following is substituted in lieu thereof (*Effective from*
176 *passage*):

177 The directors [and any employees of the department assigned to] of
178 the Public Utilities Regulatory Authority, or their designees, while
179 engaged in the performance of their duties may, at all reasonable
180 times, enter any premises, buildings, cars or other places belonging to
181 or controlled by any public service company or electric supplier, and
182 any person obstructing or in any way causing to be obstructed or
183 hindered any member or employee of the department in the
184 performance of his or her duties shall be fined not more than two
185 hundred dollars or imprisoned not more than six months or both.

186 Sec. 6. Section 16-8 of the 2012 supplement to the general statutes is
187 repealed and the following is substituted in lieu thereof (*Effective from*
188 *passage*):

189 (a) The Public Utilities Regulatory Authority may, in its discretion,
190 delegate its powers, in specific cases, to one or more of its directors or
191 to a hearing officer to ascertain the facts and report thereon to the
192 authority. The authority, or any director thereof, in the performance of
193 its duties or in connection with any hearing, or at the request of any
194 person, corporation, company, town, borough or association, may
195 summon and examine, under oath, such witnesses, and may direct the
196 production of, and examine or cause to be produced and examined,
197 such books, records, vouchers, memoranda, documents, letters,
198 contracts or other papers in relation to the affairs of any public service
199 company as it may find advisable, and shall have the same powers in
200 reference thereto as are vested in magistrates taking depositions. If any
201 witness objects to testifying or to producing any book or paper on the
202 ground that such testimony, book or paper may tend to incriminate

203 him, and the authority directs such witness to testify or to produce
204 such book or paper, and he complies, or if he is compelled so to do by
205 order of court, he shall not be prosecuted for any matter concerning
206 which he or she has so testified. The fees of witnesses summoned by
207 the [department] authority to appear before it under the provisions of
208 this section, and the fees for summoning witnesses shall be the same as
209 in the Superior Court. All such fees, together with any other expenses
210 authorized by statute, the method of payment of which is not
211 otherwise provided, shall, when taxed by the authority, be paid by the
212 state, through the business office of the authority, in the same manner
213 as court expenses. The authority may designate in specific cases a
214 hearing officer who may be a member of its technical staff or a member
215 of the Connecticut Bar engaged for that purpose under a contract
216 approved by the Secretary of the Office of Policy and Management to
217 hold a hearing and make report thereon to the authority. A hearing
218 officer so designated shall have the same powers as the authority, or
219 any director thereof, to conduct a hearing, except that only a director of
220 the authority shall have the power to grant immunity from
221 prosecution to any witness who objects to testifying or to producing
222 any book or paper on the ground that such testimony, book or paper
223 may tend to incriminate him or her.

224 (b) (1) The authority may [, within available appropriations,]
225 employ professional personnel to perform management audits. The
226 authority shall promptly establish such procedures as it deems
227 necessary or desirable to provide for management audits to be
228 performed on a regular or irregular schedule on all or any portion of
229 the operating procedures and any other internal workings of any
230 public service company, including the relationship between any public
231 service company and a related holding company or subsidiary,
232 consistent with the provisions of section 16-8c, provided no such audit
233 shall be performed on a community antenna television company,
234 except with regard to any noncable communications services which
235 the company may provide, or when (A) such an audit is necessary for
236 the authority to perform its regulatory functions under the

237 Communications Act of 1934, 47 USC 151, et seq., as amended from
238 time to time, other federal law or state law, (B) the cost of such an audit
239 is warranted by a reasonably foreseeable financial, safety or service
240 benefit to subscribers of the company which is the subject of such an
241 audit, and (C) such an audit is restricted to examination of the
242 operating procedures that affect operations within the state.

243 (2) In any case where the authority determines that an audit is
244 necessary or desirable, it may (A) order the audit to be performed by
245 one of the management audit teams, (B) require the affected company
246 to perform the audit utilizing the company's own internal
247 management audit staff as supervised by designated members of the
248 authority's staff, or (C) require that the audit be performed under the
249 supervision of designated members of the authority's staff by an
250 independent management consulting firm selected by the authority, in
251 consultation with the affected company. If the affected company has
252 more than seventy-five thousand customers, such independent
253 management consulting firm shall be of nationally recognized stature.
254 All reasonable and proper expenses of the audits, including, but not
255 limited to, the costs associated with the audit firm's testimony at a
256 public hearing or other proceeding, shall be borne by the affected
257 companies and shall be paid by such companies at such times and in
258 such manner as the authority directs.

259 (3) For purposes of this section, a complete audit shall consist of (A)
260 a diagnostic review of all functions of the audited company, which
261 shall include, but not be limited to, documentation of the operations of
262 the company, assessment of the company's system of internal controls,
263 and identification of any areas of the company which may require
264 subsequent audits, and (B) the performance of subsequent focused
265 audits identified in the diagnostic review and determined necessary by
266 the authority. All audits performed pursuant to this section shall be
267 performed in accordance with generally accepted management audit
268 standards. The [department] authority shall adopt regulations in
269 accordance with the provisions of chapter 54 setting forth such

270 generally accepted management audit standards. Each audit of a
271 community antenna television company shall be consistent with the
272 provisions of the Communications Act of 1934, 47 USC 151, et seq., as
273 amended from time to time, and of any other applicable federal law.
274 The authority shall certify whether a portion of an audit conforms to
275 the provisions of this section and constitutes a portion of a complete
276 audit.

277 (4) A complete audit of each portion of each gas, electric or electric
278 distribution company having more than seventy-five thousand
279 customers shall begin no less frequently than every six years, so that a
280 complete audit of such a company's operations shall be performed
281 every six years. Such an audit of each such company having more than
282 seventy-five thousand customers shall be updated as required by the
283 authority.

284 (5) The results of an audit performed pursuant to this section shall
285 be filed with the authority and shall be open to public inspection.
286 Upon completion and review of the audit, if the person or firm
287 performing or supervising the audit determines that any of the
288 operating procedures or any other internal workings of the affected
289 public service company are inefficient, improvident, unreasonable,
290 negligent or in abuse of discretion, the authority may, after notice and
291 opportunity for a hearing, order the affected public service company to
292 adopt such new or altered practices and procedures as the authority
293 shall find necessary to promote efficient and adequate service to meet
294 the public convenience and necessity. The authority shall annually
295 submit a report of audits performed pursuant to this section to the
296 joint standing committee of the General Assembly having cognizance
297 of matters relating to public utilities which report shall include the
298 status of audits begun but not yet completed and a summary of the
299 results of audits completed. Any such report may be submitted
300 electronically.

301 (6) All reasonable and proper costs and expenses, as determined by

302 the authority, of complying with any order of the authority pursuant
303 to this subsection shall be recognized by the authority for all purposes
304 as proper business expenses of the affected company.

305 (7) After notice and hearing, the authority may modify the scope
306 and schedule of a management audit of a telephone company which is
307 subject to an alternative form of regulation so that such audit is
308 consistent with that alternative form of regulation.

309 (c) Nothing in this section shall be deemed to interfere or conflict
310 with any powers of the authority or its staff provided elsewhere in the
311 general statutes, including, but not limited to, the provisions of this
312 section and sections 16-7, as amended by this act, 16-28 and 16-32, to
313 conduct an audit, investigation or review of the books, records, plant
314 and equipment of any regulated public service company.

315 Sec. 7. Subsection (b) of section 16-19e of the 2012 supplement to the
316 general statutes is repealed and the following is substituted in lieu
317 thereof (*Effective from passage*):

318 (b) The Public Utilities Regulatory Authority shall promptly
319 undertake a separate, general investigation of, and shall hold at least
320 one public hearing on new pricing principles and rate structures for
321 electric companies and for gas companies to consider, without
322 limitation, long run incremental cost of marginal cost pricing, peak
323 load or time of day pricing and proposals for optimizing the utilization
324 of energy and restraining its wasteful use and encouraging energy
325 conservation, and any other matter with respect to pricing principles
326 and rate structures as the authority shall deem appropriate. The
327 authority shall determine whether existing or future rate structures
328 place an undue burden upon those persons of poverty status and shall
329 make such adjustment in the rate structure as is necessary or desirable
330 to take account of their indigency. The authority shall require the
331 utilization of such new principles and structures to the extent that the
332 authority determines that their implementation is in the public interest
333 and necessary or desirable to accomplish the purposes of this

334 provision without being unfair or discriminatory or unduly
335 burdensome or disruptive to any group or class of customers, and
336 determines that such principles and structures are capable of yielding
337 required revenues. In reviewing the rates and rate structures of electric
338 and gas companies, the authority shall take into consideration
339 [appropriate energy policies, including those of the state as expressed
340 in subsection (c) of this section] the goals of the Department of Energy
341 and Environmental Protection, as described in section 22a-2d, as
342 amended by this act, the comprehensive energy plan prepared
343 pursuant to section 16a-3d, as amended by this act, and the integrated
344 resources plan developed pursuant to section 16a-3a, as amended by
345 this act. The authority shall issue its initial findings on such
346 investigation by December 1, 1976, and its final findings and order by
347 June 1, 1977; provided that after such final findings and order are
348 issued, the authority shall at least once every two years undertake such
349 further investigations as it deems appropriate with respect to new
350 developments or desirable modifications in pricing principles and rate
351 structures and, after holding at least one public hearing thereon, shall
352 issue its findings and order thereon.

353 Sec. 8. Subsection (d) of section 16-19e of the 2012 supplement to the
354 general statutes is repealed and the following is substituted in lieu
355 thereof (*Effective from passage*):

356 (d) The Commissioner of Energy and Environmental Protection, the
357 Commissioner of Economic and Community Development, and the
358 Connecticut Siting Council may be made parties to each proceeding on
359 a rate amendment proposed by a gas, electric or electric distribution
360 company [based upon an alleged need for increased revenues to
361 finance an expansion of capital equipment and facilities,] and shall
362 participate in such proceedings to the extent necessary.

363 Sec. 9. Subsection (a) of section 16-49 of the 2012 supplement to the
364 general statutes is repealed and the following is substituted in lieu
365 thereof (*Effective from passage*):

366 (a) As used in this section:

367 (1) "Company" means (A) any public service company other than a
368 telephone company, that had more than one hundred thousand dollars
369 of gross revenues in the state in the calendar year preceding the
370 assessment year under this section, except any such company not
371 providing service to retail customers in the state, (B) any telephone
372 company that had more than one hundred thousand dollars of gross
373 revenues in the state from telecommunications services in the calendar
374 year preceding the assessment year under this section, except any such
375 company not providing service to retail customers in the state, (C) any
376 certified telecommunications provider that had more than one
377 hundred thousand dollars of gross revenues in the state from
378 telecommunications services in the calendar year preceding the
379 assessment year under this section, except any such certified
380 telecommunications provider not providing service to retail customers
381 in the state, (D) any electric supplier that had more than one hundred
382 thousand dollars of gross revenues in the state in the calendar year
383 preceding the assessment year under this section, except any such
384 supplier not providing electric generation services to retail customers
385 in the state, or (E) any certified competitive video service provider
386 issued a certificate of video franchise authority by the [Department of
387 Energy and Environmental Protection] Public Utilities Regulatory
388 Authority in accordance with section 16-331e that had more than one
389 hundred thousand dollars of gross revenues in the state in the calendar
390 year preceding the assessment year under this section, except any such
391 certified competitive video service provider not providing service to
392 retail customers in the state;

393 (2) "Telecommunications services" means (A) in the case of
394 telecommunications services provided by a telephone company, any
395 service provided pursuant to a tariff approved by the authority other
396 than wholesale services and resold access and interconnections
397 services, and (B) in the case of telecommunications services provided
398 by a certified telecommunications provider other than a telephone

399 company, any service provided pursuant to a tariff approved by the
400 authority and pursuant to a certificate of public convenience and
401 necessity; and

402 (3) "Fiscal year" means the period beginning July first and ending
403 June thirtieth.

404 Sec. 10. Subsection (d) of section 16-245m of the 2012 supplement to
405 the general statutes is repealed and the following is substituted in lieu
406 thereof (*Effective from passage*):

407 (d) (1) Not later than October 1, 2012, and every two years
408 thereafter, the electric distribution companies and gas companies shall
409 submit to the commissioner a plan to implement cost-effective energy
410 conservation programs and market transformation initiatives. The
411 Energy Conservation Management Board shall advise and assist [the
412 electric distribution] such companies in the development and
413 implementation of [a comprehensive] such plan. [, which plan shall be
414 approved by the Department of Energy and Environmental Protection,
415 to implement cost-effective energy conservation programs and market
416 transformation initiatives.] Such plan shall include steps that would be
417 needed to achieve the goal of weatherization of eighty per cent of the
418 state's residential units by 2030. Each program contained in the plan
419 shall be reviewed by [the electric distribution company] such
420 companies and either accepted or rejected by the Energy Conservation
421 Management Board prior to submission to the [department]
422 commissioner for approval. The Energy Conservation Management
423 Board shall, as part of its review, examine opportunities to offer joint
424 programs providing similar efficiency measures that save more than
425 one fuel resource or otherwise to coordinate programs targeted at
426 saving more than one fuel resource. Any costs for joint programs shall
427 be allocated equitably among the conservation programs. The Energy
428 Conservation Management Board shall give preference to projects that
429 maximize the reduction of federally mandated congestion charges. The
430 [Department of Energy and Environmental Protection] commissioner

431 shall, in an uncontested proceeding during which the [department]
432 commissioner may hold a public hearing, approve, modify or reject the
433 [comprehensive] plan prepared pursuant to this subsection.

434 (2) There shall be a joint committee of the Energy Conservation
435 Management Board and the board of directors of the Connecticut
436 Clean Energy [Finance and Investment] Authority. The [board and the
437 advisory committee] boards shall each appoint members to such joint
438 committee. The joint committee shall examine opportunities to
439 coordinate the programs and activities funded by the Clean Energy
440 Fund pursuant to section 16-245n, as amended by this act, with the
441 programs and activities contained in the plan developed under this
442 subsection to reduce the long-term cost, environmental impacts and
443 security risks of energy in the state. Such joint committee shall hold its
444 first meeting on or before August 1, 2005.

445 (3) Programs included in the plan developed under subdivision (1)
446 of this subsection shall be screened through cost-effectiveness testing
447 that compares the value and payback period of program benefits for
448 any energy savings to program costs to ensure that programs are
449 designed to obtain energy savings and system benefits, including
450 mitigation of federally mandated congestion charges, whose value is
451 greater than the costs of the programs. Program cost-effectiveness shall
452 be reviewed annually, or otherwise as is practicable, and shall
453 incorporate the results of the evaluation process set forth in
454 subdivision (4) of this subsection. If a program is determined to fail the
455 cost-effectiveness test as part of the review process, it shall either be
456 modified to meet the test or shall be terminated. On or before March 1,
457 2005, and on or before March first annually thereafter, the board shall
458 provide a report, in accordance with the provisions of section 11-4a, to
459 the joint standing committees of the General Assembly having
460 cognizance of matters relating to energy and the environment that
461 documents (A) expenditures and fund balances and evaluates the cost-
462 effectiveness of such programs conducted in the preceding year, and
463 (B) the extent to and manner in which the programs of such board

464 collaborated and cooperated with programs, established under section
465 7-233y, of municipal electric energy cooperatives. To maximize the
466 reduction of federally mandated congestion charges, programs in the
467 plan may allow for disproportionate allocations between the amount
468 of contributions to the Energy Conservation and Load Management
469 Funds by a certain rate class and the programs that benefit such a rate
470 class. Before conducting such evaluation, the board shall consult with
471 the board of directors of the Connecticut Clean Energy [Finance and
472 Investment] Authority. The report shall include a description of the
473 activities undertaken during the reporting period. [jointly or in
474 collaboration with the Clean Energy Fund established pursuant to
475 subsection (c) of section 16-245n.]

476 (4) The Department of Energy and Environmental Protection shall
477 adopt an independent, comprehensive program evaluation,
478 measurement and verification process to ensure the Energy
479 Conservation Management Board's programs are administered
480 appropriately and efficiently, comply with statutory requirements,
481 programs and measures are cost effective, evaluation reports are
482 accurate and issued in a timely manner, evaluation results are
483 appropriately and accurately taken into account in program
484 development and implementation, and information necessary to meet
485 any third-party evaluation requirements is provided. An annual
486 schedule and budget for evaluations as determined by the board shall
487 be included in the plan filed with the department pursuant to
488 subdivision (1) of this subsection. The electric distribution and gas
489 company representatives and the representative of a municipal electric
490 energy cooperative may not vote on board plans, budgets,
491 recommendations, actions or decisions regarding such process or its
492 program evaluations and their implementation. Program and measure
493 evaluation, measurement and verification shall be conducted on an
494 ongoing basis, with emphasis on impact and process evaluations,
495 programs or measures that have not been studied, and those that
496 account for a relatively high percentage of program spending.
497 Evaluations shall use statistically valid monitoring and data collection

498 techniques appropriate for the programs or measures being evaluated.
499 All evaluations shall contain a description of any problems
500 encountered in the process of the evaluation, including, but not limited
501 to, data collection issues, and recommendations regarding addressing
502 those problems in future evaluations. The board shall contract with
503 one or more consultants not affiliated with the board members to act as
504 an evaluation administrator, advising the board regarding
505 development of a schedule and plans for evaluations and overseeing
506 the program evaluation, measurement and verification process on
507 behalf of the board. Consistent with board processes and approvals
508 and department decisions regarding evaluation, such evaluation
509 administrator shall implement the evaluation process by preparing
510 requests for proposals and selecting evaluation contractors to perform
511 program and measure evaluations and by facilitating communications
512 between evaluation contractors and program administrators to ensure
513 accurate and independent evaluations. In the evaluation
514 administrator's discretion and at his or her request, the electric
515 distribution and gas companies shall communicate with the evaluation
516 administrator for purposes of data collection, vendor contract
517 administration, and providing necessary factual information during
518 the course of evaluations. The evaluation administrator shall bring
519 unresolved administrative issues or problems that arise during the
520 course of an evaluation to the board for resolution, but shall have sole
521 authority regarding substantive and implementation decisions
522 regarding any evaluation. Board members, including electric
523 distribution and gas company representatives, may not communicate
524 with an evaluation contractor about an ongoing evaluation except with
525 the express permission of the evaluation administrator, which may
526 only be granted if the administrator believes the communication will
527 not compromise the independence of the evaluation. The evaluation
528 administrator shall file evaluation reports with the board and with the
529 department in its most recent uncontested proceeding pursuant to
530 subdivision (1) of this subsection and the board shall post a copy of
531 each report on its Internet web site. The board and its members,

532 including electric distribution and gas company representatives, may
533 file written comments regarding any evaluation with the department
534 or for posting on the board's Internet web site. Within fourteen days of
535 the filing of any evaluation report, the department, members of the
536 board or other interested persons may request in writing, and the
537 department shall conduct, a transcribed technical meeting to review
538 the methodology, results and recommendations of any evaluation.
539 Participants in any such transcribed technical meeting shall include the
540 evaluation administrator, the evaluation contractor and the Office of
541 Consumer Counsel at its discretion. On or before November 1, 2011,
542 and annually thereafter, the board shall report to the joint standing
543 committee of the General Assembly having cognizance of matters
544 relating to energy, with the results and recommendations of completed
545 program evaluations.

546 (5) Programs included in the plan developed under subdivision (1)
547 of this subsection may include, but not be limited to: (A) Conservation
548 and load management programs, including programs that benefit low-
549 income individuals; (B) research, development and commercialization
550 of products or processes which are more energy-efficient than those
551 generally available; (C) development of markets for such products and
552 processes; (D) support for energy use assessment, real-time monitoring
553 systems, engineering studies and services related to new construction
554 or major building renovation; (E) the design, manufacture,
555 commercialization and purchase of energy-efficient appliances and
556 heating, air conditioning and lighting devices; (F) program planning
557 and evaluation; (G) indoor air quality programs relating to energy
558 conservation; (H) joint fuel conservation initiatives programs targeted
559 at reducing consumption of more than one fuel resource; (I) public
560 education regarding conservation; and (J) demand-side technology
561 programs recommended by the integrated resources plan approved by
562 the Department of Energy and Environmental Protection pursuant to
563 section 16a-3a, as amended by this act. [The board shall periodically
564 review contractors to determine whether they are qualified to conduct
565 work related to such programs. Such support] Support for such

566 programs may be by direct funding, manufacturers' rebates, sale price
567 and loan subsidies, leases and promotional and educational activities.
568 The Energy Conservation Management Board shall periodically review
569 contractors to determine whether they are qualified to conduct work
570 related to such programs. The plan shall also provide for expenditures
571 by the [Energy Conservation Management Board] board for the
572 retention of expert consultants and reasonable administrative costs
573 provided such consultants shall not be employed by, or have any
574 contractual relationship with, an electric distribution company. Such
575 costs shall not exceed five per cent of the total revenue collected from
576 the assessment.

577 Sec. 11. Subsection (f) of section 16-245m of the 2012 supplement to
578 the general statutes is repealed and the following is substituted in lieu
579 thereof (*Effective from passage*):

580 (f) No later than December 31, 2006, and no later than December
581 thirty-first every five years thereafter, the Energy Conservation
582 Management Board shall, after consulting with the Clean Energy
583 Finance and Investment Authority, conduct an evaluation of the
584 performance of the programs and activities [of the fund] specified in
585 the plan approved by the commissioner pursuant to subsection (d) of
586 this section and submit a report, in accordance with the provisions of
587 section 11-4a, of the evaluation to the joint standing committee of the
588 General Assembly having cognizance of matters relating to energy.

589 Sec. 12. Subsection (a) of section 16-245y of the 2012 supplement to
590 the general statutes is repealed and the following is substituted in lieu
591 thereof (*Effective from passage*):

592 (a) Not later than October 1, 1999, and annually thereafter, each
593 electric company and electric distribution company, as defined in
594 section 16-1, as amended by this act, shall report to the Public Utilities
595 Regulatory Authority its system average interruption duration index
596 (SAIDI) and its system average interruption frequency index (SAIFI)
597 for the preceding twelve months. For purposes of this section: (1)

598 Interruptions shall not include outages attributable to major storms,
599 scheduled outages and outages caused by customer equipment, each
600 as determined by the [department] authority; (2) SAIDI shall be
601 calculated as the sum of customer interruptions in the preceding
602 twelve-month period, in minutes, divided by the average number of
603 customers served during that period; and (3) SAIFI shall be calculated
604 as the total number of customers interrupted in the preceding twelve-
605 month period, divided by the average number of customers served
606 during that period. Not later than January 1, 2000, and annually
607 thereafter, the authority shall report on the SAIDI and SAIFI data for
608 each electric company and electric distribution, and all state-wide
609 SAIDI and SAIFI data to the joint standing committee of the General
610 Assembly having cognizance of matters relating to energy.

611 Sec. 13. Subsection (c) of section 16-245y of the 2012 supplement to
612 the general statutes is repealed and the following is substituted in lieu
613 thereof (*Effective from passage*):

614 (c) Not later than January 1, 2011, and annually thereafter, the
615 [Department of Energy and Environmental Protection] Public Utilities
616 Regulatory Authority shall report to the joint standing committee of
617 the General Assembly having cognizance of matters relating to energy
618 the number of applicants for licensure pursuant to section 16-245
619 during the preceding twelve months, the number of applicants
620 licensed by the [department] authority and the average period of time
621 taken to process a license application. Any such report may be
622 submitted electronically.

623 Sec. 14. Subsection (b) of section 16a-3 of the 2012 supplement to the
624 general statutes is repealed and the following is substituted in lieu
625 thereof (*Effective from passage*):

626 (b) The board shall (1) report to the General Assembly on the status
627 of programs administered by the Department of Energy and
628 Environmental Protection pursuant to title 16 or 16a, (2) consult with
629 the Commissioner of Energy and Environmental Protection regarding

630 the integrated [resource] resources plan developed pursuant to section
631 16a-3a, as amended by this act, and the comprehensive energy plan
632 prepared pursuant to section 16a-3d, as amended by this act, and (3)
633 review, within available resources, requests from the General
634 Assembly.

635 Sec. 15. Section 16a-3b of the 2012 supplement to the general statutes
636 is repealed and the following is substituted in lieu thereof (*Effective*
637 *from passage*):

638 (a) The Public Utilities Regulatory Authority shall oversee the
639 implementation of the integrated resources plan approved by the
640 Commissioner of Energy and Environmental Protection pursuant to
641 section 16a-3a, as amended by this act, and the procurement plan
642 approved by the authority pursuant to section 16-244m, as amended
643 by this act. The electric distribution companies shall implement the
644 demand-side measures, including, but not limited to, energy
645 efficiency, load management, demand response, combined heat and
646 power facilities, distributed generation and other emerging energy
647 technologies, specified in [said] the integrated resources plan through
648 the comprehensive conservation and load management plan prepared
649 pursuant to section 16-245m, as amended by this act, for review by the
650 Energy Conservation Management Board. The electric distribution
651 companies shall submit proposals to appropriate regulatory agencies
652 to address transmission and distribution upgrades as specified in
653 [said] the integrated resources plan.

654 (b) If the integrated resources plan specifies the construction of a
655 generating facility, the authority shall develop and issue a request for
656 proposals, shall publish such request for proposals in one or more
657 newspapers or periodicals, as selected by the authority, and shall post
658 such request for proposals on its web site. Pursuant to a nondisclosure
659 agreement, the authority shall make available to the commissioner, the
660 Office of Consumer Counsel and the Attorney General all confidential
661 bid information it receives pursuant to this subsection, provided the

662 bids and any analysis of such bids shall not be subject to disclosure
663 under the Freedom of Information Act. Three months after the
664 authority issues a final decision, it shall make available all financial bid
665 information, provided such information regarding the bidders not
666 selected be presented in a manner that conceals the identities of such
667 bidders.

668 (1) On and after July 1, 2008, an electric distribution company may
669 submit proposals in response to a request for proposals on the same
670 basis as other respondents to the solicitation. A proposal submitted by
671 an electric distribution company shall include its full projected costs
672 such that any project costs recovered from or defrayed by ratepayers
673 are included in the projected costs. An electric distribution company
674 submitting any such bid shall demonstrate to the satisfaction of the
675 authority that its bid is not supported in any form of cross
676 subsidization by affiliated entities. If the authority approves such
677 electric distribution company's proposal, the costs and revenues of
678 such proposal shall not be included in calculating such company's
679 earning for purposes of, or in determining whether its rates are just
680 and reasonable under, sections 16-19, 16-19a and 16-19e, as amended
681 by this act. An electric distribution company shall not recover more
682 than the full costs identified in any approved proposal. Affiliates of the
683 electric distribution company may submit proposals pursuant to
684 section 16-244h, regulations adopted pursuant to section 16-244h and
685 other requirements the authority may impose.

686 (2) If the authority selects a nonelectric distribution company
687 proposal, an electric distribution company shall, within thirty days of
688 the selection of a proposal by the authority, negotiate in good faith the
689 final terms of a contract with a generating facility and shall apply to
690 the authority for approval of such contract. Upon authority approval,
691 the electric distribution company shall enter into such contract.

692 (3) The authority shall determine the appropriate manner of cost
693 recovery for proposals selected pursuant to this section.

694 (4) The authority may retain the services of a third-party entity with
695 expertise in the area of energy procurement to oversee the
696 development of the request for proposals and to assist the authority in
697 its approval of proposals pursuant to this section. The reasonable and
698 proper expenses for retaining such third-party entity shall be
699 recoverable through the generation services charge.

700 (c) The electric distribution companies shall issue requests for
701 proposals to acquire any other resource needs not identified in
702 subsection (a) or (b) of this section but specified in the integrated
703 resources plan approved by the Commissioner of Energy and
704 Environmental Protection pursuant to section 16a-3a, as amended by
705 this act. Such requests for proposals shall be subject to approval by the
706 authority.

707 Sec. 16. Subsection (a) of section 16a-3c of the 2012 supplement to
708 the general statutes is repealed and the following is substituted in lieu
709 thereof (*Effective from passage*):

710 (a) On and after July 1, 2011, if the Public Utilities Regulatory
711 Authority does not receive and approve proposals [pursuant to the
712 requests for proposals processes, pursuant to section 16a-3b,] sufficient
713 to reach the goal set by the integrated resources plan approved
714 pursuant to section 16a-3a, as amended by this act, the authority may
715 order an electric distribution company to submit for the authority's
716 review in a contested case proceeding, in accordance with chapter 54, a
717 proposal to build and operate an electric generation facility in the state.
718 An electric distribution company shall be eligible to recover its
719 prudently incurred costs consistent with the principles set forth in
720 section 16-19e, as amended by this act, for any generation project
721 approved pursuant to this section.

722 Sec. 17. Subsection (b) of section 16a-7b of the 2012 supplement to
723 the general statutes is repealed and the following is substituted in lieu
724 thereof (*Effective from passage*):

725 (b) No municipality other than a municipality operating a plant
726 pursuant to chapter 101 or any special act and acting for purposes
727 thereto may take an action to condemn, in whole or in part, or restrict
728 the operation of any existing and currently operating energy facility, if
729 such facility is first determined by the Public Utilities Regulatory
730 Authority, following a contested case proceeding, held in accordance
731 with the provisions of chapter 54, to comprise a critical, unique and
732 unmovable component of the state's energy infrastructure, unless the
733 municipality first receives written approval from the [department, the
734 Connecticut Energy Advisory Board] Commissioner of Energy and
735 Environmental Protection and the Connecticut Siting Council that such
736 taking would not have a detrimental impact on the state's or region's
737 ability to provide a particular energy resource to its citizens.

738 Sec. 18. Section 16a-3d of the 2012 supplement to the general
739 statutes is repealed and the following is substituted in lieu thereof
740 (*Effective from passage*):

741 (a) On or before July 1, 2012, and every three years thereafter, the
742 Commissioner of Energy and Environmental Protection, in
743 consultation with the Connecticut Energy Advisory Board, shall
744 prepare a comprehensive energy plan. Such plan shall reflect the
745 legislative findings and policy stated in section 16a-35k and shall
746 incorporate (1) an assessment and plan for all energy needs in the
747 state, including, but not limited to, electricity, heating, cooling, and
748 transportation, (2) the findings of the integrated resources plan, (3) the
749 findings of the plan for energy efficiency adopted pursuant to section
750 16-245m, as amended by this act, and (4) the findings of the plan for
751 renewable energy adopted pursuant to section 16-245n, as amended by
752 this act. Such plan shall further include, but not be limited to, (A) an
753 assessment of current energy supplies, demand and costs, (B)
754 identification and evaluation of the factors likely to affect future
755 energy supplies, demand and costs, (C) a statement of progress made
756 toward achieving the goals and milestones set in the preceding
757 comprehensive energy plan, (D) a statement of energy policies and

758 long-range energy planning objectives and strategies appropriate to
759 achieve, among other things, a sound economy, the least-cost mix of
760 energy supply sources and measures that reduce demand for energy,
761 giving due regard to such factors as consumer price impacts, security
762 and diversity of fuel supplies and energy generating methods,
763 protection of public health and safety, environmental goals and
764 standards, conservation of energy and energy resources and the ability
765 of the state to compete economically, (E) recommendations for
766 administrative and legislative actions to implement such policies,
767 objectives and strategies, (F) an assessment of the potential costs
768 savings and benefits to ratepayers, including, but not limited to,
769 carbon dioxide emissions reductions or voluntary joint ventures to
770 repower some or all of the state's coal-fired and oil-fired generation
771 facilities built before 1990, and (G) the benefits, costs, obstacles and
772 solutions related to the expansion and use and availability of natural
773 gas in Connecticut. If the department finds that such expansion is in
774 the public interest, it shall develop a plan to increase the use and
775 availability of natural gas for transportation purposes.

776 (b) In adopting the comprehensive energy plan, the Commissioner
777 of Energy and Environmental Protection [, or the commissioner's
778 designee,] shall conduct a proceeding [and such proceeding] that shall
779 not be considered a contested case under chapter 54, provided a
780 hearing pursuant to chapter 54 shall be held. The commissioner shall
781 give not less than fifteen days' notice of such proceeding by electronic
782 publication on the department's Internet web site. Notice of such
783 hearing may also be published in one or more newspapers having a
784 state-wide circulation if deemed necessary by the commissioner. Such
785 notice shall state the date, time, and place of the meeting, the
786 procedures for submitting comments to the commissioner, the subject
787 matter of the meeting, the statutory authority for the proposed plan
788 and the location where a copy of the proposed plan may be obtained
789 or examined in addition to posting the proposed plan on the
790 department's Internet web site. The Public Utilities Regulatory
791 Authority shall comment on the plan's impact on [ratepayers and any

792 other person may comment on the proposed plan] rates. The
793 commissioner shall provide a time period of not less than forty-five
794 days from the date the notice is published on the department's Internet
795 web site for public review and comment and, during such time period,
796 any person may provide comments concerning the proposed plan to
797 the commissioner. The commissioner shall consider fully, after all
798 public meetings, all written and oral comments concerning the
799 proposed plan and shall finalize the plan. The commissioner shall post
800 on the department's Internet web site, and notify by electronic mail
801 each person who requests such notice, [. The commissioner shall make
802 available] the electronic text of the final plan or an Internet web site
803 where the final plan is posted, and a report summarizing [(1)] all
804 public comments [,] and [(2)] the changes made to the final plan in
805 response to such comments and the reasons therefore.

806 (c) The commissioner shall submit the final plan electronically to the
807 joint standing committees of the General Assembly having cognizance
808 of matters relating to energy and the environment.

809 (d) The commissioner may, in consultation with the Connecticut
810 Energy Advisory Board, modify the comprehensive energy plan in
811 accordance with the procedures outlined in subsections (b) and (c) of
812 this section. [The commissioner may approve or reject such plan with
813 comments.]

814 [(e) The decisions of the Public Utilities Regulatory Authority shall
815 be guided by the goals of the Department of Energy and
816 Environmental Protection, as listed in section 22a-2d, and by the goals
817 of the comprehensive energy plan and the integrated resources plan
818 approved pursuant to section 16a-3a and shall be based on the
819 evidence in the record of each proceeding.]

820 [(f)] (e) All [electric distribution companies'] reasonable costs
821 associated with the development of the [resource assessment]
822 comprehensive energy plan approved by the commissioner shall be
823 recoverable through [the systems benefits charge] an assessment

824 pursuant to section 16-49, as amended by this act.

825 Sec. 19. Section 16a-3a of the 2012 supplement to the general statutes
826 is repealed and the following is substituted in lieu thereof (*Effective*
827 *from passage*):

828 (a) The [Department] Commissioner of Energy and Environmental
829 Protection, in consultation with the Connecticut Energy Advisory
830 Board and the electric distribution companies, shall review the state's
831 energy and capacity resource assessment and [develop] adopt an
832 integrated resources plan for the procurement of energy resources,
833 including, but not limited to, conventional and renewable generating
834 facilities, energy efficiency, load management, demand response,
835 combined heat and power facilities, distributed generation and other
836 emerging energy technologies to meet the projected requirements of
837 their customers in a manner that minimizes the cost of such resources
838 to customers over time and maximizes consumer benefits consistent
839 with the state's environmental goals and standards. Such integrated
840 resources plan shall seek to lower the cost of electricity.

841 (b) On or before January 1, 2012, and biennially thereafter, the
842 [Department] Commissioner of Energy and Environmental Protection,
843 in consultation with the Connecticut Energy Advisory Board and the
844 electric distribution companies, shall prepare an assessment of (1) the
845 energy and capacity requirements of customers for the next three, five
846 and ten years, (2) the manner of how best to eliminate growth in
847 electric demand, (3) how best to level electric demand in the state by
848 reducing peak demand and shifting demand to off-peak periods, (4)
849 the impact of current and projected environmental standards,
850 including, but not limited to, those related to greenhouse gas emissions
851 and the federal Clean Air Act goals and how different resources could
852 help achieve those standards and goals, (5) energy security and
853 economic risks associated with potential energy resources, and (6) the
854 estimated lifetime cost and availability of potential energy resources.

855 (c) Resource needs shall first be met through all available energy

856 efficiency and demand reduction resources that are cost-effective,
857 reliable and feasible. The projected customer cost impact of any
858 demand-side resources considered pursuant to this subsection shall be
859 reviewed on an equitable basis with nondemand-side resources. The
860 integrated resources plan shall specify (1) the total amount of energy
861 and capacity resources needed to meet the requirements of all
862 customers, (2) the extent to which demand-side measures, including
863 efficiency, conservation, demand response and load management can
864 cost-effectively meet these needs in a manner that ensures equity in
865 benefits and cost reduction to all classes and subclasses of consumers,
866 (3) needs for generating capacity and transmission and distribution
867 improvements, (4) how the development of such resources will reduce
868 and stabilize the costs of electricity to each class and subclass of
869 consumers, and (5) the manner in which each of the proposed
870 resources should be procured, including the optimal contract periods
871 for various resources.

872 (d) The integrated resources plan shall consider: (1) Approaches to
873 maximizing the impact of demand-side measures; (2) the extent to
874 which generation needs can be met by renewable and combined heat
875 and power facilities; (3) the optimization of the use of generation sites
876 and generation portfolio existing within the state; (4) fuel types,
877 diversity, availability, firmness of supply and security and
878 environmental impacts thereof, including impacts on meeting the
879 state's greenhouse gas emission goals; (5) reliability, peak load and
880 energy forecasts, system contingencies and existing resource
881 availabilities; (6) import limitations and the appropriate reliance on
882 such imports; (7) the impact of the procurement plan on the costs of
883 electric customers; and (8) the effects on participants and
884 nonparticipants. Such plan shall include options for lowering the rates
885 and cost of electricity. [The Department of Energy and Environmental
886 Protection shall hold a public hearing on such integrated resources
887 plan pursuant to chapter 54. The commissioner may approve or reject
888 such plan with comments.]

889 (e) [The procurement manager of the Public Utilities Regulatory
890 Authority, in consultation with the electric distribution companies, the
891 regional independent system operator, and the Connecticut Energy
892 Advisory Board, shall develop a procurement plan and hold public
893 hearings on the proposed plan. Such hearings shall not constitute a
894 contested case and shall be held in accordance with chapter 54. The
895 Public Utilities Regulatory Authority shall give not less than fifteen
896 days' notice of such proceeding by electronic publication on the
897 department's Internet web site.] In adopting the integrated resources
898 plan, the commissioner shall conduct an uncontested proceeding that
899 shall include not less than one public meeting. Not less than fifteen
900 days before any such meeting, the commissioner shall publish notice of
901 such meeting and post the text of the proposed integrated resources
902 plan on the department's Internet web site. Notice of such [hearing]
903 meeting may also be published in one or more newspapers having a
904 state-wide circulation if deemed necessary by the commissioner. Such
905 notice shall state the date, time, and place of the [hearing] meeting, the
906 subject matter of the [hearing] meeting, the manner and time period
907 during which comments may be submitted to the commissioner, the
908 statutory authority for the proposed integrated resources plan and the
909 location where a copy of the [proposed integrated resources] plan may
910 be obtained or examined. [in addition to posting the plan on the
911 department's Internet web site.] The commissioner shall provide a time
912 period of not less than [forty-five] sixty days from the date the notice is
913 published on the department's Internet web site for public review and
914 comment. The commissioner shall consider fully, after all public
915 meetings, all written and oral comments concerning the proposed
916 integrated resources plan and shall finalize the plan. The commissioner
917 shall post on the department's Internet web site, and notify by
918 electronic mail each person who requests such notice, [. The
919 commissioner shall make available] the electronic text of the final
920 integrated resources plan [or an Internet web site where the final
921 integrated resources plan is posted,] and a report summarizing (1) all
922 public comments, and (2) the changes made to the final [integrated

923 resources] plan in response to such comments and the reasons
924 therefor. The commissioner shall submit the final integrated resources
925 plan by electronic means, or as requested, to the joint standing
926 committees of the General Assembly having cognizance of matters
927 relating to energy and the environment. [The department's Bureau of
928 Energy shall, after the public hearing, make recommendations to the
929 Commissioner of Energy and Environmental Protection regarding plan
930 modifications. Said commissioner shall approve or reject the plan with
931 comments.] The commissioner may modify the integrated resources
932 plan to correct clerical errors at any time without following the
933 procedures outlined in this subsection.

934 (f) [On or before March 1, 2012] Not later than two years after the
935 adoption of the comprehensive energy plan, adopted pursuant to
936 section 16a-3d, as amended by this act, and the integrated resources
937 plan, adopted pursuant to this section, and every two years thereafter,
938 the [Department] Commissioner of Energy and Environmental
939 Protection shall report to the joint standing committees of the General
940 Assembly having cognizance of matters relating to energy and the
941 environment regarding goals established and progress toward
942 implementation of [the integrated resources plan established pursuant
943 to this section] said plans, as well as any recommendations [for the
944 process] concerning said plans. Any such report may be submitted
945 electronically.

946 (g) All reasonable costs associated with the development of the
947 resource assessment, [and the development of] the integrated
948 resources plan, adopted pursuant to this section, and the procurement
949 plan, adopted pursuant to section 16-244m, as amended by this act,
950 shall be recoverable through the assessment in section 16-49, as
951 amended by this act.

952 [(h) The decisions of the Public Utilities Regulatory Authority shall
953 be guided by the goals of the Department of Energy and
954 Environmental Protection, as described in section 22a-2d, and with the

955 goals of the integrated resources plan approved pursuant to this
956 section and the comprehensive energy plan developed pursuant to
957 section 16a-3d and shall be based on the evidence in the record of each
958 proceeding.]

959 Sec. 20. Subdivision (5) of subsection (c) of section 16-244c of the
960 2012 supplement to the general statutes is repealed and the following
961 is substituted in lieu thereof (*Effective from passage*):

962 (5) For standard service contracts procured prior to [department]
963 the authority's approval of the procurement plan developed pursuant
964 to section 16-244m, as amended by this act, each bidder for a standard
965 service contract shall submit its bid to the electric distribution
966 company and the third-party entity who shall jointly review the bids
967 and submit an overview of all bids together with a joint
968 recommendation to the [department] authority as to the preferred
969 bidders. The [department] authority may, within ten business days of
970 submission of the overview, reject the recommendation regarding
971 preferred bidders. In the event that the [department] authority rejects
972 the preferred bids, the electric distribution company and the third-
973 party entity shall rebid the service pursuant to this subdivision. The
974 [department] authority shall review each bid in an uncontested
975 proceeding that shall include a public hearing and in which any
976 interested person, including, but not limited to, the Consumer
977 Counsel, [and] the Commissioner of Energy and Environmental
978 Protection or the Attorney General may participate.

979 Sec. 21. Subdivision (2) of subsection (j) of section 16-244c of the
980 2012 supplement to the general statutes is repealed and the following
981 is substituted in lieu thereof (*Effective from passage*):

982 (2) Notwithstanding the provisions of subsection (d) of this section
983 regarding an alternative transitional standard offer option or an
984 alternative standard service option, an electric distribution company
985 providing transitional standard offer service, standard service,
986 supplier of last resort service or back-up electric generation service in

987 accordance with this section shall, not later than July 1, 2008, file with
988 the Public Utilities Regulatory Authority for its approval one or more
989 long-term power purchase contracts from Class I renewable energy
990 source projects with a preference for projects located in Connecticut
991 that receive funding from the Clean Energy Fund and that are not less
992 than one megawatt in size, at a price that is either, at the determination
993 of the project owner, (A) not more than the total of the comparable
994 wholesale market price for generation plus five and one-half cents per
995 kilowatt hour, or (B) fifty per cent of the wholesale market electricity
996 cost at the point at which transmission lines intersect with each other
997 or interface with the distribution system, plus the project cost of fuel
998 indexed to natural gas futures contracts on the New York Mercantile
999 Exchange at the natural gas pipeline interchange located in Vermillion
1000 Parish, Louisiana that serves as the delivery point for such futures
1001 contracts, plus the fuel delivery charge for transporting fuel to the
1002 project, plus five and one-half cents per kilowatt hour. In its approval
1003 of such contracts, the authority shall give preference to purchase
1004 contracts from those projects that would provide a financial benefit to
1005 ratepayers and would enhance the reliability of the electric
1006 transmission system of the state. Such projects shall be located in this
1007 state. The owner of a fuel cell project principally manufactured in this
1008 state shall be allocated all available air emissions credits and tax credits
1009 attributable to the project and no less than fifty per cent of the energy
1010 credits in the Class I renewable energy credits program established in
1011 section 16-245a attributable to the project. On and after October 1, 2007,
1012 and until September 30, 2008, such contracts shall be comprised of not
1013 less than a total, apportioned among each electric distribution
1014 company, of one hundred twenty-five megawatts; and on and after
1015 October 1, 2008, such contracts shall be comprised of not less than a
1016 total, apportioned among each electrical distribution company, of one
1017 hundred fifty megawatts. The Public Utilities Regulatory Authority
1018 shall not issue any order that results in the extension of any in-service
1019 date or contractual arrangement made as a part of Project 100 or
1020 Project 150 beyond the termination date previously approved by the

1021 authority established by the contract, provided any party to such
1022 contract may provide a notice of termination in accordance with the
1023 terms of, and to the extent permitted under, its contract. The cost of
1024 such contracts and the administrative costs for the procurement of
1025 such contracts directly incurred shall be eligible for inclusion in the
1026 adjustment to the transitional standard offer as provided in this section
1027 and any subsequent rates for standard service, provided such contracts
1028 are for a period of time sufficient to provide financing for such
1029 projects, but not less than ten years, and are for projects which began
1030 operation on or after July 1, 2003. Except as provided in this
1031 subdivision, the amount from Class I renewable energy sources
1032 contracted under such contracts shall be applied to reduce the
1033 applicable Class I renewable energy source portfolio standards. For
1034 purposes of this subdivision, the department's determination of the
1035 comparable wholesale market price for generation shall be based upon
1036 a reasonable estimate. On or before September 1, 2011, the authority, in
1037 consultation with the Office of Consumer Counsel and the Connecticut
1038 Clean Energy [Finance and Investment] Authority, shall study the
1039 operation of such renewable energy contracts and report its findings
1040 and recommendations to the joint standing committee of the General
1041 Assembly having cognizance of matters relating to energy.

1042 Sec. 22. Subsection (a) of section 16-244m of the 2012 supplement to
1043 the general statutes is repealed and the following is substituted in lieu
1044 thereof (*Effective from passage*):

1045 (a) On or before January 1, 2012, and annually thereafter, the
1046 procurement manager of the [Department of Energy and
1047 Environmental Protection] Public Utilities Regulatory Authority, in
1048 consultation with each electric distribution company, the
1049 Commissioner of Energy and Environmental Protection and with
1050 others at the procurement manager's discretion, including, but not
1051 limited to, a municipal energy cooperative established pursuant to
1052 chapter 101a, other than entities, individuals and companies or their
1053 affiliates potentially involved in bidding on standard service, shall

1054 develop a plan for the procurement of electric generation services and
1055 related wholesale electricity market products that will enable each
1056 electric distribution company to manage a portfolio of contracts to
1057 reduce the average cost of standard service while maintaining
1058 standard service cost volatility within reasonable levels. Each
1059 procurement plan shall provide for the competitive solicitation for
1060 load-following electric service and may include a provision for the use
1061 of other contracts, including, but not limited to, contracts for
1062 generation or other electricity market products and financial contracts,
1063 and may provide for the use of varying lengths of contracts. If such
1064 plan includes the purchase of full requirements contracts, it shall
1065 include an explanation of why such purchases are in the best interests
1066 of standard service customers.

1067 Sec. 23. Subsection (d) of section 16-244m of the 2012 supplement to
1068 the general statutes is repealed and the following is substituted in lieu
1069 thereof (*Effective from passage*):

1070 (d) (1) The [Department of Energy and Environmental Protection]
1071 Public Utilities Regulatory Authority shall conduct an uncontested
1072 proceeding to approve, with any amendments it determines necessary,
1073 a procurement plan submitted pursuant to subsection (a) of this
1074 section.

1075 (2) The [Department of Energy and Environmental Protection]
1076 Public Utilities Regulatory Authority shall report annually in
1077 accordance with the provisions of section 11-4a to the joint standing
1078 committee of the General Assembly having cognizance of matters
1079 relating to energy regarding the procurement plan and its
1080 implementation. Any such report may be submitted electronically.

1081 Sec. 24. Section 16-244n of the 2012 supplement to the general
1082 statutes is repealed and the following is substituted in lieu thereof
1083 (*Effective from passage*):

1084 Upon the request of an electric distribution company, the

1085 [Department of Energy and Environmental Protection] Public Utilities
1086 Regulatory Authority shall initiate a docket to consider the buydown
1087 of an electric distribution company's current standard service contract
1088 to reduce ratepayer bills and conduct a cost benefit analysis of such a
1089 buydown. If the [department] authority, as a result of such docket,
1090 determines such a buydown is in the best interest of ratepayers, the
1091 company shall proceed with such buydown.

1092 Sec. 25. Section 16-245n of the 2012 supplement to the general
1093 statutes is repealed and the following is substituted in lieu thereof
1094 (*Effective from passage*):

1095 (a) For purposes of this section, "clean energy" means solar
1096 photovoltaic energy, solar thermal, geothermal energy, wind, ocean
1097 thermal energy, wave or tidal energy, fuel cells, landfill gas,
1098 hydropower that meets the low-impact standards of the Low-Impact
1099 Hydropower Institute, hydrogen production and hydrogen conversion
1100 technologies, low emission advanced biomass conversion technologies,
1101 alternative fuels, used for electricity generation including ethanol,
1102 biodiesel or other fuel produced in Connecticut and derived from
1103 agricultural produce, food waste or waste vegetable oil, provided the
1104 Commissioner of Energy and Environmental Protection determines
1105 that such fuels provide net reductions in greenhouse gas emissions
1106 and fossil fuel consumption, usable electricity from combined heat and
1107 power systems with waste heat recovery systems, thermal storage
1108 systems, other energy resources and emerging technologies which
1109 have significant potential for commercialization and which do not
1110 involve the combustion of coal, petroleum or petroleum products,
1111 municipal solid waste or nuclear fission, financing of energy efficiency
1112 projects, and projects that seek to deploy electric, electric hybrid,
1113 natural gas or alternative fuel vehicles and associated infrastructure
1114 and any related storage, distribution, manufacturing technologies or
1115 facilities.

1116 (b) On and after July 1, 2004, the Public Utilities Regulatory

1117 Authority shall assess or cause to be assessed a charge of not less than
1118 one mill per kilowatt hour charged to each end use customer of electric
1119 services in this state which shall be deposited into the Clean Energy
1120 Fund established under subsection (c) of this section. Notwithstanding
1121 the provisions of this section, receipts from such charges shall be
1122 disbursed to the resources of the General Fund during the period from
1123 July 1, 2003, to June 30, 2005, unless the authority shall, on or before
1124 October 30, 2003, issue a financing order for each affected distribution
1125 company in accordance with sections 16-245e to 16-245k, inclusive, to
1126 sustain funding of renewable energy investment programs by
1127 substituting an equivalent amount, as determined by the authority in
1128 such financing order, of proceeds of rate reduction bonds for
1129 disbursement to the resources of the General Fund during the period
1130 from July 1, 2003, to June 30, 2005. The authority may authorize in such
1131 financing order the issuance of rate reduction bonds that substitute for
1132 disbursement to the General Fund for receipts of both charges under
1133 this subsection and subsection (a) of section 16-245m and also may in
1134 its discretion authorize the issuance of rate reduction bonds under this
1135 subsection and subsection (a) of section 16-245m that relate to more
1136 than one electric distribution company. The authority shall, in such
1137 financing order or other appropriate order, offset any increase in the
1138 competitive transition assessment necessary to pay principal,
1139 premium, if any, interest and expenses of the issuance of such rate
1140 reduction bonds by making an equivalent reduction to the charges
1141 imposed under this subsection, provided any failure to offset all or any
1142 portion of such increase in the competitive transition assessment shall
1143 not affect the need to implement the full amount of such increase as
1144 required by this subsection and sections 16-245e to 16-245k, inclusive.
1145 Such financing order shall also provide if the rate reduction bonds are
1146 not issued, any unrecovered funds expended and committed by the
1147 electric distribution companies for renewable resource investment
1148 through deposits into the Clean Energy Fund, provided such
1149 expenditures were approved by the authority following August 20,
1150 2003, and prior to the date of determination that the rate reduction

1151 bonds cannot be issued, shall be recovered by the companies from
1152 their respective competitive transition assessment or systems benefits
1153 charge, except that such expenditures shall not exceed one million
1154 dollars per month. All receipts from the remaining charges imposed
1155 under this subsection, after reduction of such charges to offset the
1156 increase in the competitive transition assessment as provided in this
1157 subsection, shall be disbursed to the Clean Energy Fund commencing
1158 as of July 1, 2003. Any increase in the competitive transition
1159 assessment or decrease in the renewable energy investment
1160 component of an electric distribution company's rates resulting from
1161 the issuance of or obligations under rate reduction bonds shall be
1162 included as rate adjustments on customer bills.

1163 (c) There is hereby created a Clean Energy Fund which shall be
1164 within the Connecticut Clean Energy [Finance and Investment]
1165 Authority. The fund may receive any amount required by law to be
1166 deposited into the fund and may receive any federal funds as may
1167 become available to the state for clean energy investments. Upon
1168 authorization of the Connecticut Clean Energy [Finance and
1169 Investment] Authority established pursuant to subsection (d) of this
1170 section, any amount in said fund may be used for expenditures that
1171 promote investment in clean energy in accordance with a
1172 comprehensive plan developed by it to foster the growth, development
1173 and commercialization of clean energy sources, related enterprises and
1174 stimulate demand for clean energy and deployment of clean energy
1175 sources that serve end use customers in this state and for the further
1176 purpose of supporting operational demonstration projects for
1177 advanced technologies that reduce energy use from traditional
1178 sources. Such expenditures may include, but not be limited to,
1179 providing low-cost financing and credit enhancement mechanisms for
1180 clean energy projects and technologies, reimbursement of the
1181 operating expenses, including administrative expenses incurred by the
1182 authority and [the corporation] Connecticut Innovations, Incorporated,
1183 and capital costs incurred by the authority in connection with the
1184 operation of the fund, the implementation of the plan developed

1185 pursuant to subsection (d) of this section or the other permitted
1186 activities of the authority, disbursements from the fund to develop and
1187 carry out the plan developed pursuant to subsection (d) of this section,
1188 grants, direct or equity investments, contracts or other actions which
1189 support research, development, manufacture, commercialization,
1190 deployment and installation of clean energy technologies, and actions
1191 which expand the expertise of individuals, businesses and lending
1192 institutions with regard to clean energy technologies.

1193 (d) (1) (A) There is established the Connecticut Clean Energy
1194 [Finance and Investment] Authority, which [shall be deemed a quasi-
1195 public agency for purposes of chapters 5, 10 and 12 and within
1196 Connecticut Innovations, Incorporated, for administrative purposes
1197 only] is hereby established and created as a body politic and corporate,
1198 constituting a public instrumentality and political subdivision of the
1199 state of Connecticut established and created for the performance of an
1200 essential public and governmental function. The authority shall not be
1201 construed to be a department, institution or agency of the state.

1202 (B) The authority shall [(A)] (i) develop separate programs to
1203 finance and otherwise support clean energy investment in residential,
1204 municipal, small business and larger commercial projects and such
1205 others as the authority may determine; [(B)] (ii) support financing or
1206 other expenditures that promote investment in clean energy sources in
1207 accordance with a comprehensive plan developed by it to foster the
1208 growth, development and commercialization of clean energy sources
1209 and related enterprises; and [(C)] (iii) stimulate demand for clean
1210 energy and the deployment of clean energy sources within the state
1211 that serve end-use customers in the state.

1212 (C) Said authority shall constitute a successor agency to the
1213 corporation for the purposes of administrating the Clean Energy Fund
1214 in accordance with section 4-38d. Said authority shall have all the
1215 privileges, immunities, tax exemptions and other exemptions of the
1216 corporation. Said authority shall be subject to suit and liability solely

1217 from the assets, revenues and resources of the authority and without
1218 recourse to the general funds, revenues, resources or other assets of the
1219 corporation. Said authority may assume or take title to any real
1220 property, convey or dispose of its assets and pledge its revenues to
1221 secure any borrowing, convey or dispose of its assets and pledge its
1222 revenues to secure any borrowing, for the purpose of developing,
1223 acquiring, constructing, refinancing, rehabilitating or improving its
1224 assets or supporting its programs, provided each such borrowing or
1225 mortgage, unless otherwise provided by the board or the authority,
1226 shall be a special obligation of the authority, which obligation may be
1227 in the form of bonds, bond anticipation notes or other obligations
1228 which evidence an indebtedness to the extent permitted under this
1229 chapter to fund, refinance and refund the same and provide for the
1230 rights of holders thereof, and to secure the same by pledge of revenues,
1231 notes and mortgages of others, and which shall be payable solely from
1232 the assets, revenues and other resources of the authority and [in no
1233 event shall] such bonds may be secured by a special capital reserve
1234 fund [of any kind which is in any way] contributed to by the state. The
1235 authority shall have the purposes as provided by resolution of the
1236 authority's board of directors, which purposes shall be consistent with
1237 this section. No further action is required for the establishment of the
1238 authority, except the adoption of a resolution for the authority.

1239 (2) (A) The authority may seek to qualify as a Community
1240 Development Financial Institution under Section 4702 of the United
1241 States Code. If approved as a Community Development Financial
1242 Institution, the authority would be treated as a qualified community
1243 development entity for purposes of Section 45D and Section 1400N(m)
1244 of the Internal Revenue Code.

1245 (B) Before making any loan, loan guarantee, or such other form of
1246 financing support or risk management for a clean energy project, the
1247 authority shall develop standards to govern the administration of the
1248 authority through rules, policies and procedures that specify borrower
1249 eligibility, terms and conditions of support, and other relevant criteria,

1250 standards or procedures.

1251 (C) Funding sources specifically authorized include, but are not
1252 limited to:

1253 (i) Funds repurposed from existing programs providing financing
1254 support for clean energy projects, provided any transfer of funds from
1255 such existing programs shall be subject to approval by the General
1256 Assembly and shall be used for expenses of financing, grants and
1257 loans;

1258 (ii) Any federal funds that can be used for the purposes specified in
1259 subsection (c) of this section;

1260 (iii) Charitable gifts, grants, contributions as well as loans from
1261 individuals, corporations, university endowments and philanthropic
1262 foundations;

1263 (iv) Earnings and interest derived from financing support activities
1264 for clean energy projects backed by the authority;

1265 (v) If and to the extent that the authority qualifies as a Community
1266 Development Financial Institution under Section 4702 of the United
1267 States Code, funding from the Community Development Financial
1268 Institution Fund administered by the United States Department of
1269 Treasury, as well as loans from and investments by depository
1270 institutions seeking to comply with their obligations under the United
1271 States Community Reinvestment Act of 1977; and

1272 (vi) The authority may enter into contracts with private sources to
1273 raise capital. The average rate of return on such debt or equity shall be
1274 set by the authority's board of directors.

1275 (D) The authority may provide financing support under this
1276 subsection if the authority determines that the amount to be financed
1277 by the authority and other nonequity financing sources do not exceed
1278 eighty per cent of the cost to develop and deploy a clean energy project

1279 or up to one hundred per cent of the cost of financing an energy
1280 efficiency project.

1281 (E) The authority may assess reasonable fees on its financing
1282 activities to cover its reasonable costs and expenses, as determined by
1283 the board.

1284 (F) The authority shall make information regarding the rates, terms
1285 and conditions for all of its financing support transactions available to
1286 the public for inspection, including formal annual reviews by both a
1287 private auditor conducted pursuant to subdivision (2) of subsection (f)
1288 of this section and the Comptroller, and providing details to the public
1289 on the Internet, provided public disclosure shall be restricted for
1290 patentable ideas, trade secrets, proprietary or confidential commercial
1291 or financial information, disclosure of which may cause commercial
1292 harm to a nongovernmental recipient of such financing support and
1293 for other information exempt from public records disclosure pursuant
1294 to section 1-210.

1295 (3) No director, officer, employee or agent of the authority, while
1296 acting within the scope of his or her authority, shall be subject to any
1297 personal liability resulting from exercising or carrying out any of the
1298 authority's purposes or powers.

1299 (e) The powers of the Connecticut Clean Energy [Finance and
1300 Investment] Authority shall be vested in and exercised by a board of
1301 directors, which shall consist of eleven voting and two nonvoting
1302 members each with knowledge and expertise in matters related to the
1303 purpose and activities of the authority appointed as follows: The
1304 Treasurer or the Treasurer's designee, the Commissioner of Energy
1305 and Environmental Protection or the commissioner's designee and the
1306 Commissioner of Economic and Community Development or the
1307 commissioner's designee, each serving ex officio, one member who
1308 shall represent a residential or low-income group appointed by the
1309 speaker of the House of Representatives for a term of four years, one
1310 member who shall have experience in investment fund management

1311 appointed by the minority leader of the House of Representatives for a
1312 term of three years, one member who shall represent an environmental
1313 organization appointed by the president pro tempore of the Senate for
1314 a term of four years, and one member who shall have experience in the
1315 finance or deployment of renewable energy appointed by the minority
1316 leader of the Senate for a term of four years. Thereafter, such members
1317 of the General Assembly shall appoint members of the board to
1318 succeed such appointees whose terms expire and each member so
1319 appointed shall hold office for a period of four years from the first day
1320 of July in the year of his or her appointment. The Governor shall
1321 appoint four members to the board as follows: Two for two years who
1322 shall have experience in the finance of renewable energy; one for four
1323 years who shall be a representative of a labor organization; and one
1324 who shall have experience in research and development or
1325 manufacturing of clean energy. Thereafter, the Governor shall appoint
1326 members of the board to succeed such appointees whose terms expire
1327 and each member so appointed shall hold office for a period of four
1328 years from the first day of July in the year of his or her appointment.
1329 The president of the authority shall be elected by the members of the
1330 board. The president of the authority and a member of the board of
1331 Connecticut Innovations, Incorporated, appointed by the chairperson
1332 of the corporation shall serve on the board in an ex-officio, nonvoting
1333 capacity. The Governor shall appoint the chairperson of the board. The
1334 board shall elect from its members a vice chairperson and such other
1335 officers as it deems necessary and shall adopt such bylaws and
1336 procedures it deems necessary to carry out its functions. The board
1337 may establish committees and subcommittees as necessary to conduct
1338 its business.

1339 (f) (1) The board shall issue annually a report to the Department of
1340 Energy and Environmental Protection reviewing the activities of the
1341 Connecticut Clean Energy [Finance and Investment] Authority in
1342 detail and shall provide a copy of such report, in accordance with the
1343 provisions of section 11-4a, to the joint standing committees of the
1344 General Assembly having cognizance of matters relating to energy and

1345 commerce. The report shall include a description of the programs and
1346 activities undertaken during the reporting period jointly or in
1347 collaboration with the Energy Conservation and Load Management
1348 Funds established pursuant to section 16-245m, as amended by this
1349 act.

1350 (2) The Clean Energy Fund shall be audited annually. Such audits
1351 shall be conducted with generally accepted auditing standards by
1352 independent certified public accountants certified by the State Board of
1353 Accountancy. Such accountants may be the accountants for the
1354 corporation.

1355 (3) Any entity that receives financing for a clean energy project from
1356 the fund shall provide the board an annual statement, certified as
1357 correct by the chief financial officer of the recipient of such financing,
1358 setting forth all sources and uses of funds in such detail as may be
1359 required by the authority of such project. The authority shall maintain
1360 any such audits for not less than five years. Residential projects for
1361 buildings with one to four dwelling units are exempt from this and
1362 any other annual auditing requirements, except that residential
1363 projects may be required to grant their utility companies' permission to
1364 release their usage data to the authority.

1365 (g) There shall be a joint committee of the Energy Conservation
1366 Management Board and the Connecticut Clean Energy [Finance and
1367 Investment] Authority board of directors, as provided in subdivision
1368 (2) of subsection (d) of section 16-245m, as amended by this act.

1369 Sec. 26. Section 7-233z of the 2012 supplement to the general statutes
1370 is repealed and the following is substituted in lieu thereof (*Effective*
1371 *from passage*):

1372 (a) A municipal electric energy cooperative, created pursuant to this
1373 chapter, shall submit a comprehensive report on the activities of the
1374 municipal electric utilities with regard to promotion of renewable
1375 energy resources. Such report shall identify the standards and

1376 activities of municipal electric utilities in the promotion,
1377 encouragement and expansion of the deployment and use of
1378 renewable energy sources within the service areas of the municipal
1379 electric utilities for the prior calendar year. The cooperative shall
1380 submit the report to the Connecticut Clean Energy [Finance and
1381 Investment] Authority not later than ninety days after the end of each
1382 calendar year that describes the activities undertaken pursuant to this
1383 subsection during the previous calendar year for the promotion and
1384 development of renewable energy sources for all electric customer
1385 classes.

1386 (b) Such cooperative shall develop standards for the promotion of
1387 renewable resources that apply to each municipal electric utility. On or
1388 before January 1, 2008, and annually thereafter, such cooperative shall
1389 submit such standards to the Connecticut Clean Energy [Finance and
1390 Investment] Authority.

1391 Sec. 27. Section 16-245ee of the 2012 supplement to the general
1392 statutes is repealed and the following is substituted in lieu thereof
1393 (*Effective from passage*):

1394 Before approving any plan for energy conservation and load
1395 management and [renewable] clean energy projects issued to it by the
1396 Energy Conservation and Management Board, the board of directors of
1397 the Connecticut Clean Energy [Finance and Investment] Authority or
1398 an electric distribution company, the [Department] Commissioner of
1399 Energy and Environmental Protection shall determine that an
1400 equitable amount of the funds administered by each such board are to
1401 be deployed among small and large customers with a maximum
1402 average monthly peak demand of one hundred kilowatts in census
1403 tracts in which the median income is not more than sixty per cent of
1404 the state median income. The [department] commissioner shall
1405 determine such equitable share and such projects may include a
1406 mentoring component for such communities. On and after January 1,
1407 2012, and annually thereafter, the [department] commissioner shall

1408 report, in accordance with the provisions of section 11-4a, to the joint
1409 standing committee of the General Assembly having cognizance of
1410 matters relating to energy regarding the distribution of funds to such
1411 communities. Any such report may be submitted electronically.

1412 Sec. 28. Subsection (d) of section 16a-48 of the 2012 supplement to
1413 the general statutes is repealed and the following is substituted in lieu
1414 thereof (*Effective from passage*):

1415 (d) (1) The [department] commissioner shall adopt regulations, in
1416 accordance with the provisions of chapter 54, to implement the
1417 provisions of this section and to establish minimum energy efficiency
1418 standards for the types of new products set forth in subsection (b) of
1419 this section. The regulations shall provide for the following minimum
1420 energy efficiency standards:

1421 (A) Commercial clothes washers shall meet the requirements shown
1422 in Table P-3 of section 1605.3 of the California Code of Regulations,
1423 Title 20: Division 2, Chapter 4, Article 4;

1424 (B) Commercial refrigerators and freezers shall meet the August 1,
1425 2004, requirements shown in Table A-6 of said California regulation;

1426 (C) Illuminated exit signs shall meet the version 2.0 product
1427 specification of the "Energy Star Program Requirements for Exit Signs"
1428 developed by the United States Environmental Protection Agency;

1429 (D) Large packaged air-conditioning equipment having not more
1430 than seven hundred sixty thousand BTUs per hour of capacity shall
1431 meet a minimum energy efficiency ratio of 10.0 for units using both
1432 electric heat and air conditioning or units solely using electric air
1433 conditioning, and 9.8 for units using both natural gas heat and electric
1434 air conditioning;

1435 (E) Large packaged air-conditioning equipment having not less than
1436 seven hundred sixty-one thousand BTUs per hour of capacity shall
1437 meet a minimum energy efficiency ratio of 9.7 for units using both

1438 electric heat and air conditioning or units solely using electric air
1439 conditioning, and 9.5 for units using both natural gas heat and electric
1440 air conditioning;

1441 (F) Low voltage dry-type distribution transformers shall meet or
1442 exceed the energy efficiency values shown in Table 4-2 of the National
1443 Electrical Manufacturers Association Standard TP-1-2002;

1444 (G) Torchiere lighting fixtures shall not consume more than one
1445 hundred ninety watts and shall not be capable of operating with lamps
1446 that total more than one hundred ninety watts;

1447 (H) Traffic signal modules shall meet the product specification of
1448 the "Energy Star Program Requirements for Traffic Signals" developed
1449 by the United States Environmental Protection Agency that took effect
1450 in February, 2001, except where the department, in consultation with
1451 the Commissioner of Transportation, determines that such
1452 specification would compromise safe signal operation;

1453 (I) Unit heaters shall not have pilot lights and shall have either
1454 power venting or an automatic flue damper;

1455 (J) On or after January 1, 2009, residential furnaces and boilers
1456 purchased by the state shall meet or exceed the following annual fuel
1457 utilization efficiency: (i) For gas and propane furnaces, ninety per cent
1458 annual fuel utilization efficiency, (ii) for oil furnaces, eighty-three per
1459 cent annual fuel utilization efficiency, (iii) for gas and propane hot
1460 water boilers, eighty-four per cent annual fuel utilization efficiency,
1461 (iv) for oil-fired hot water boilers, eighty-four per cent annual fuel
1462 utilization efficiency, (v) for gas and propane steam boilers, eighty-two
1463 per cent annual fuel utilization efficiency, (vi) for oil-fired steam
1464 boilers, eighty-two per cent annual fuel utilization efficiency, and (vii)
1465 for furnaces with furnace air handlers, an electricity ratio of not more
1466 than 2.0, except air handlers for oil furnaces with a capacity of less than
1467 ninety-four thousand BTUs per hour shall have an electricity ratio of
1468 2.3 or less;

1469 (K) On or after January 1, 2010, metal halide lamp fixtures designed
1470 to be operated with lamps rated greater than or equal to one hundred
1471 fifty watts but less than or equal to five hundred watts shall not
1472 contain a probe-start metal halide lamp ballast;

1473 (L) Single-voltage external AC to DC power supplies manufactured
1474 on or after January 1, 2008, shall meet the energy efficiency standards
1475 of table U-1 of section 1605.3 of the January 2006 California Code of
1476 Regulations, Title 20, Division 2, Chapter 4, Article 4: Appliance
1477 Efficiency Regulations. This standard applies to single voltage AC to
1478 DC power supplies that are sold individually and to those that are sold
1479 as a component of or in conjunction with another product. This
1480 standard shall not apply to single-voltage external AC to DC power
1481 supplies sold with products subject to certification by the United States
1482 Food and Drug Administration. A single-voltage external AC to DC
1483 power supply that is made available by a manufacturer directly to a
1484 consumer or to a service or repair facility after and separate from the
1485 original sale of the product requiring the power supply as a service
1486 part or spare part shall not be required to meet the standards in said
1487 table U-1 until five years after the effective dates indicated in the table;

1488 (M) On or after January 1, 2009, state regulated incandescent
1489 reflector lamps shall be manufactured to meet the minimum average
1490 lamp efficacy requirements for federally regulated incandescent
1491 reflector lamps contained in 42 USC 6295(i)(1)(A). Each lamp shall
1492 indicate the date of manufacture;

1493 (N) On or after January 1, 2009, bottle-type water dispensers,
1494 commercial hot food holding cabinets, portable electric spas, walk-in
1495 refrigerators and walk-in freezers shall meet the efficiency
1496 requirements of section 1605.3 of the January 2006 California Code of
1497 Regulations, Title 20, Division 2, Chapter 4, Article 4: Appliance
1498 Efficiency Regulations. On or after January 1, 2010, residential pool
1499 pumps shall meet said efficiency requirements;

1500 (O) On or after January 1, 2009, pool heaters shall meet the

1501 efficiency requirements of sections 1605.1 and 1605.3 of the January
1502 2006 California Code of Regulations, Title 20, Division 2, Chapter 4,
1503 Article 4: Appliance Efficiency Regulations;

1504 (P) By January 1, 2014, compact audio players, digital versatile disc
1505 players and digital versatile disc recorders shall meet the requirements
1506 shown in Table V-1 of Section 1605.3 of the November 2009
1507 amendments to the California Code of Regulations, Title 20, Division 2,
1508 Chapter 4, Article 4, unless the commissioner, in accordance with
1509 subparagraph (B) of subdivision (3) of this subsection, determines that
1510 such standards are unwarranted and may accept, reject or modify
1511 according to subparagraph (A) of subdivision (3) of this subsection;

1512 (Q) On or after January 1, 2014, televisions manufactured on or after
1513 July 1, 2011, shall meet the requirements shown in Table V-2 of Section
1514 1605.3 of the November 2009 amendments to the California Code of
1515 Regulations, Title 20, Division 2, Chapter 4, Article 4, unless the
1516 commissioner, in accordance with subparagraph (B) of subdivision (3)
1517 of this subsection, determines that such standards are unwarranted
1518 and may accept, reject or modify according to subparagraph (A) of
1519 subdivision (3) of this subsection; and

1520 (R) In addition to the requirements of subparagraph (Q) of this
1521 subdivision, televisions manufactured on or after January 1, 2014, shall
1522 meet the efficiency requirements of Sections 1605.3(v)(3)(A),
1523 1605.3(v)(3)(B) and 1605.3(v)(3)(C) of the November 2009 amendments
1524 to the California Code of Regulations, Title 20, Division 2, Chapter 4,
1525 Article 4, unless the commissioner, in accordance with subparagraph
1526 (B) of subdivision (3) of this subsection, determines that such
1527 standards are unwarranted and may accept, reject or modify according
1528 to subparagraph (A) of subdivision (3) of this subsection.

1529 (2) Such efficiency standards, where in conflict with the State
1530 Building Code, shall take precedence over the standards contained in
1531 the Building Code. Not later than July 1, 2007, and biennially
1532 thereafter, the [department] commissioner shall review and increase

1533 the level of such efficiency standards by adopting regulations in
1534 accordance with the provisions of chapter 54 upon a determination
1535 that increased efficiency standards would serve to promote energy
1536 conservation in the state and would be cost-effective for consumers
1537 who purchase and use such new products, provided no such increased
1538 efficiency standards shall become effective within one year following
1539 the adoption of any amended regulations providing for such increased
1540 efficiency standards.

1541 (3) (A) The [department] commissioner shall adopt regulations, in
1542 accordance with the provisions of chapter 54, to designate additional
1543 products to be subject to the provisions of this section and to establish
1544 efficiency standards for such products upon a determination that such
1545 efficiency standards (i) would serve to promote energy conservation in
1546 the state, (ii) would be cost-effective for consumers who purchase and
1547 use such new products, and (iii) would not impose an unreasonable
1548 burden on Connecticut businesses.

1549 (B) The [department] commissioner, in consultation with the Multi-
1550 State Appliance Standards Collaborative, shall identify additional
1551 appliance and equipment efficiency standards. The commissioner shall
1552 review all California standards and may review standards from other
1553 states in such collaborative. The commissioner shall issue notice of
1554 such review in the Connecticut Law Journal, allow for public comment
1555 and may hold a public hearing within six months of adoption of an
1556 efficiency standard by a cooperative member state regarding a product
1557 for which no equivalent Connecticut or federal standard currently
1558 exists. The [department] commissioner shall adopt regulations in
1559 accordance with the provisions of chapter 54 adopting such efficiency
1560 standard unless the [department] commissioner makes a specific
1561 finding that such standard does not meet the criteria in subparagraph
1562 (A) of this subdivision.

1563 Sec. 29. Subsection (e) of section 16a-48 of the 2012 supplement to
1564 the general statutes is repealed and the following is substituted in lieu

1565 thereof (*Effective from passage*):

1566 (e) On or after July 1, 2006, except for commercial clothes washers,
1567 for which the date shall be July 1, 2007, commercial refrigerators and
1568 freezers, for which the date shall be July 1, 2008, and large packaged
1569 air-conditioning equipment, for which the date shall be July 1, 2009, no
1570 new product of a type set forth in subsection (b) of this section or
1571 designated by the [department] commissioner may be sold, offered for
1572 sale, or installed in the state unless the energy efficiency of the new
1573 product meets or exceeds the efficiency standards set forth in such
1574 regulations adopted pursuant to subsection (d) of this section.

1575 Sec. 30. Subsection (f) of section 16a-48 of the 2012 supplement to
1576 the general statutes is repealed and the following is substituted in lieu
1577 thereof (*Effective from passage*):

1578 (f) The [department] commissioner shall adopt procedures for
1579 testing the energy efficiency of the new products set forth in subsection
1580 (b) of this section or designated by the department if such procedures
1581 are not provided for in the State Building Code. The [department]
1582 commissioner shall use United States Department of Energy approved
1583 test methods, or in the absence of such test methods, other appropriate
1584 nationally recognized test methods. The manufacturers of such
1585 products shall cause samples of such products to be tested in
1586 accordance with the test procedures adopted pursuant to this
1587 subsection or those specified in the State Building Code.

1588 Sec. 31. Subsection (g) of section 16a-48 of the 2012 supplement to
1589 the general statutes is repealed and the following is substituted in lieu
1590 thereof (*Effective from passage*):

1591 (g) Manufacturers of new products set forth in subsection (b) of this
1592 section or designated by the [department] commissioner shall certify to
1593 the commissioner that such products are in compliance with the
1594 provisions of this section, except that certification is not required for
1595 single voltage external AC to DC power supplies and walk-in

1596 refrigerators and walk-in freezers. All single voltage external AC to DC
1597 power supplies shall be labeled as described in the January 2006
1598 California Code of Regulations, Title 20, Section 1607 (9). The
1599 [department] commissioner shall promulgate regulations governing
1600 the certification of such products. The commissioner shall publish an
1601 annual list of such products.

1602 Sec. 32. Subsection (g) of section 16-245 of the 2012 supplement to
1603 the general statutes is repealed and the following is substituted in lieu
1604 thereof (*Effective from passage*):

1605 (g) As conditions of continued licensure, in addition to the
1606 requirements of subsection (c) of this section: (1) The licensee shall
1607 comply with the National Labor Relations Act and regulations, if
1608 applicable; (2) the licensee shall comply with the Connecticut Unfair
1609 Trade Practices Act and applicable regulations; (3) each generating
1610 facility operated by or under long-term contract to the licensee shall
1611 comply with regulations adopted by the Commissioner of Energy and
1612 Environmental Protection, pursuant to section 22a-174j; (4) the licensee
1613 shall comply with the portfolio standards, pursuant to section 16-245a;
1614 (5) the licensee shall be a member of the New England Power Pool or
1615 its successor or have a contractual relationship with one or more
1616 entities who are members of the New England Power Pool or its
1617 successor and the licensee shall comply with the rules of the regional
1618 independent system operator and standards and any other reliability
1619 guidelines of the regional independent systems operator; (6) the
1620 licensee shall agree to cooperate with the authority and other electric
1621 suppliers in the event of an emergency condition that may jeopardize
1622 the safety and reliability of electric service; (7) the licensee shall comply
1623 with the code of conduct established pursuant to section 16-244h; (8)
1624 for a license to a participating municipal electric utility, the licensee
1625 shall provide open and nondiscriminatory access to its distribution
1626 facilities to other licensed electric suppliers; (9) the licensee or the
1627 entity or entities with whom the licensee has a contractual relationship
1628 to purchase power shall be in compliance with all applicable licensing

1629 requirements of the Federal Energy Regulatory Commission; (10) each
1630 generating facility operated by or under long-term contract to the
1631 licensee shall be in compliance with chapter 277a and state
1632 environmental laws and regulations; (11) the licensee shall comply
1633 with the renewable portfolio standards established in section 16-245a;
1634 (12) on or after July 1, 2012, the licensee shall offer a time-of-use price
1635 option to customers. Such option shall include a two-part price that is
1636 designed to achieve an overall minimization of customer bills by
1637 encouraging the reduction of consumption during the most energy
1638 intense hours of the day. The licensee shall file its time-of-use rates
1639 with the Public Utilities Regulatory Authority; and (13) the licensee
1640 shall acknowledge that it is subject to chapters 208, 212, 212a and 219,
1641 as applicable, and the licensee shall pay all taxes it is subject to in this
1642 state. Also as a condition of licensure, the authority shall prohibit each
1643 licensee from declining to provide service to customers for the reason
1644 that the customers are located in economically distressed areas. The
1645 authority may establish additional reasonable conditions to assure that
1646 all retail customers will continue to have access to electric generation
1647 services.

1648 Sec. 33. Subsection (a) of section 103 of public act 11-80 is repealed
1649 and the following is substituted in lieu thereof (*Effective from passage*):

1650 (a) The Connecticut Clean Energy [Finance and Investment]
1651 Authority shall on or before March 1, 2012, establish a three-year pilot
1652 program to promote the development of new combined heat and
1653 power projects in Connecticut that are below [two] five megawatts in
1654 capacity size. The program established pursuant to this section shall
1655 not exceed fifty megawatts. The authority shall set one or more
1656 standardized grant amounts, loan amounts and power purchase
1657 agreements for such projects to limit the administrative burden of
1658 project approvals for the authority and the project proponent,
1659 including, but not limited to, a per kilowatt cost of up to three hundred
1660 fifty dollars. Such standardized provisions shall seek to minimize costs
1661 for the general class of ratepayers, ensuring that the project developer

1662 has a significant share of the financial burden and risk, while ensuring
1663 the development of projects that benefit Connecticut's economy,
1664 ratepayers, and environment. The authority may in its discretion
1665 decline to support a proposed project if the benefits of such project to
1666 Connecticut's ratepayers, economy and environment, including
1667 emissions reductions, are too meager to justify ratepayer or taxpayer
1668 investment.

1669 Sec. 34. Section 16-245ff of the 2012 supplement to the general
1670 statutes is repealed and the following is substituted in lieu thereof
1671 (*Effective from passage*):

1672 (a) The Connecticut Clean Energy [Finance and Investment]
1673 Authority established pursuant to section 16-245n, as amended by this
1674 act, shall structure and implement a residential solar investment
1675 program established pursuant to this section, which shall result in a
1676 minimum of thirty megawatts of new residential solar photovoltaic
1677 installations located in this state on or before December 31, 2022, the
1678 annual procurement of which shall be determined by the authority and
1679 the cost of which shall not exceed one-third of the total surcharge
1680 collected annually pursuant to said section 16-245n.

1681 (b) The Connecticut Clean Energy [Finance and Investment]
1682 Authority shall offer direct financial incentives, in the form of
1683 performance-based incentives or expected performance-based
1684 buydowns, for the purchase or lease of qualifying residential solar
1685 photovoltaic systems. For the purposes of this section, "performance-
1686 based incentives" means incentives paid out on a per kilowatt-hour
1687 basis, and "expected performance-based buydowns" means incentives
1688 paid out as a one-time upfront incentive based on expected system
1689 performance. The authority shall consider willingness to pay studies
1690 and verified solar photovoltaic system characteristics, such as
1691 operational efficiency, size, location, shading and orientation, when
1692 determining the type and amount of incentive. Notwithstanding the
1693 provisions of subdivision (1) of subsection (j) of section 16-244c, the

1694 amount of renewable energy produced from Class I renewable energy
1695 sources [receiving tariff payments or] included in utility rates under
1696 this section shall be applied to reduce the electric distribution
1697 company's Class I renewable energy source portfolio standard.
1698 Customers who receive expected performance-based buydowns under
1699 this section shall not be eligible for a credit pursuant to section [16-
1700 243b] 16-243h.

1701 (c) Beginning with the comprehensive plan covering the period
1702 from July 1, 2011, to June 30, 2013, the Connecticut Clean Energy
1703 [Finance and Investment] Authority shall develop and publish in each
1704 such plan a proposed schedule for the offering of performance-based
1705 incentives or expected performance-based buydowns over the
1706 duration of any such solar incentive program. Such schedule shall: (1)
1707 Provide for a series of solar capacity blocks the combined total of
1708 which shall be a minimum of thirty megawatts and projected incentive
1709 levels for each such block; (2) provide incentives that are sufficient to
1710 meet reasonable payback expectations of the residential consumer,
1711 taking into consideration the estimated cost of residential solar
1712 installations, the value of the energy offset by the system and the
1713 availability and estimated value of other incentives, including, but not
1714 limited to, federal and state tax incentives and revenues from the sale
1715 of solar renewable energy credits; (3) provide incentives that decline
1716 over time and will foster the sustained, orderly development of a state-
1717 based solar industry; (4) automatically adjust to the next block once the
1718 board of directors of the Connecticut Clean Energy Authority has
1719 issued reservations for financial incentives, provided, pursuant to this
1720 section, [from] that the board has fully [committing] committed the
1721 target solar capacity and available incentives in that block; and (5)
1722 provide comparable economic incentives for the purchase or lease of
1723 qualifying residential solar photovoltaic systems. The authority may
1724 retain the services of a third-party entity with expertise in the area of
1725 solar energy program design to assist in the development of the
1726 incentive schedule or schedules. The [Department] Commissioner of
1727 Energy and Environmental Protection shall review and approve such

1728 schedule. Nothing in this subsection shall restrict the authority from
1729 modifying the approved incentive schedule before the issuance of its
1730 next comprehensive plan to account for changes in federal or state law
1731 or regulation or developments in the solar market when such changes
1732 would affect the expected return on investment for a typical residential
1733 solar photovoltaic system by twenty per cent or more.

1734 (d) The Connecticut Clean Energy [Finance and Investment]
1735 Authority shall establish and periodically update program guidelines,
1736 including, but not limited to, requirements for systems and program
1737 participants related to: (1) Eligibility criteria; (2) standards for
1738 deployment of energy efficient equipment or building practices as a
1739 condition for receiving incentive funding; (3) procedures to provide
1740 reasonable assurance that such reservations are made and incentives
1741 are paid out only to qualifying residential solar photovoltaic systems
1742 demonstrating a high likelihood of being installed and operated as
1743 indicated in application materials; and (4) reasonable protocols for the
1744 measurement and verification of energy production.

1745 (e) The Connecticut Clean Energy [Finance and Investment]
1746 Authority shall maintain on its web site the schedule of incentives,
1747 solar capacity remaining in the current block and available funding
1748 and incentive estimators.

1749 (f) Funding for the residential performance-based incentive
1750 program and expected performance-based buydowns shall be
1751 apportioned from the moneys collected under the surcharge specified
1752 in section 16-245n, as amended by this act, provided such
1753 apportionment shall not exceed one-third of the total surcharge
1754 collected annually, and supplemented by federal funding as may
1755 become available.

1756 (g) The Connecticut Clean Energy [Finance and Investment]
1757 Authority shall identify barriers to the development of a permanent
1758 Connecticut-based solar workforce and shall make provision for
1759 comprehensive training, accreditation and certification programs

1760 through institutions and individuals accredited and certified to
1761 national standards.

1762 (h) On or before January 1, 2014, and every two years thereafter for
1763 the duration of the program, the Connecticut Clean Energy [Finance
1764 and Investment] Authority shall report to the joint standing committee
1765 of the General Assembly having cognizance of matters relating to
1766 energy on progress toward the goals identified in subsection (a) of this
1767 section.

1768 Sec. 35. Subsection (b) of section 16-244r of the 2012 supplement to
1769 the general statutes is repealed and the following is substituted in lieu
1770 thereof (*Effective from passage*):

1771 (b) Solicitations conducted by the electric distribution company
1772 shall be for the purchase of renewable energy credits produced by
1773 eligible customer-sited generating projects over the duration of the
1774 long-term contract. For purposes of this section, a long-term contract is
1775 a contract for fifteen years. The electric distribution company shall be
1776 entitled to recover the reasonable costs and fees incurred in connection
1777 with soliciting and filing long-term contracts with the authority
1778 pursuant to this section through a reconciling component of electric
1779 rates as determined by the authority, until such company's next
1780 scheduled rate case.

1781 Sec. 36. Section 16-244s of the 2012 supplement to the general
1782 statutes is repealed and the following is substituted in lieu thereof
1783 (*Effective from passage*):

1784 (a) To procure the long-term contracts described in section 16-244r,
1785 as amended by this act, each electric distribution company shall, not
1786 later than one hundred eighty days after July 1, 2011, propose a six-
1787 year solicitation plan that shall include (1) a timetable and
1788 methodology for soliciting proposals for the long-term purchase of
1789 renewable energy credits from in-state generators of Class I
1790 technologies that emit no pollutants and are not more than one

1791 megawatt in size, and (2) declining annual incentives during each of
1792 the six years of the program. The electric distribution company's
1793 solicitation plan shall be subject to the review and approval of the
1794 Public Utilities Regulatory Authority.

1795 (b) The electric distribution company's approved solicitation plan
1796 shall be designed to foster a diversity of project sizes and participation
1797 among all eligible customer classes subject to cost-effectiveness
1798 considerations. Separate procurement processes shall be conducted for
1799 (1) systems up to one hundred kilowatts; (2) systems greater than one
1800 hundred kilowatts but less than two hundred fifty kilowatts; and (3)
1801 systems between two hundred fifty and one thousand kilowatts. The
1802 Public Utilities Regulatory Authority shall give preference to
1803 competitive bidding for resources of more than one hundred kilowatts,
1804 with bids ranked in order on the basis of lowest net present value of
1805 required renewable energy credit price, unless the authority
1806 determines that an alternative methodology is in the best interests of
1807 the electric distribution company's customers and the development of
1808 a competitive and self-sustaining market. Systems up to one hundred
1809 kilowatts in size shall be eligible to receive, on an ongoing and
1810 continuous basis, a renewable energy credit offer price equivalent to
1811 the weighted average accepted bid price in the most recent solicitation
1812 for systems greater than one hundred kilowatts but less than two
1813 hundred fifty kilowatts, plus an additional incentive of ten per cent.
1814 The electric distribution company shall be entitled to recover the
1815 reasonable costs and fees incurred in connection with the preparation
1816 of a solicitation plan pursuant to this section through a reconciling
1817 component of electric rates as determined by the authority.

1818 (c) Each electric distribution company shall execute its approved
1819 six-year solicitation plan and submit to the Public Utilities Regulatory
1820 Authority for review and approval of its preferred procurement plan
1821 comprised of any proposed contract or contracts with independent
1822 developers. If an electric distribution company's solicitation does not
1823 result in proposed contracts totaling the annual expenditure pursuant

1824 to subsection (a) of section 16-244r and the Public Utilities Regulatory
1825 Authority has reduced the cap price by more than three per cent
1826 pursuant to subsection (c) of section 16-244r, the authority shall, within
1827 ninety days, issue a request for proposals for additional contracts. The
1828 authority shall approve contract proposals submitted in response to
1829 such request on a least-cost basis, provided an electric distribution
1830 company shall not be required to enter into a contract that provides for
1831 a payment in any year of the contract that exceeds the renewable
1832 energy price cap for the prior year, [by] less [than] three per cent.

1833 (d) The Public Utilities Regulatory Authority shall hold a hearing
1834 that shall be conducted as an uncontested case, in accordance with the
1835 provisions of chapter 54, to approve, reject or modify an [application
1836 for approval of the] electric distribution company's procurement plan.
1837 The authority shall only [approve such proposed plan] issue an
1838 approval for a plan or modification of a plan if the authority finds that
1839 (1) the solicitation and evaluation conducted by the electric
1840 distribution company was the result of a fair, open, competitive and
1841 transparent process; (2) approval of the procurement plan would result
1842 in the greatest expected ratepayer value from energy from Class I or
1843 renewable energy credits at the lowest reasonable cost; and (3) such
1844 procurement plan or any modification satisfies other criteria
1845 established in the approved solicitation plan. The authority shall not
1846 approve any proposal made under such plan unless it determines that
1847 the plan and proposals encompass all foreseeable sources of revenue
1848 or benefits and that such proposals, together with such revenue or
1849 benefits, would result in the greatest expected ratepayer value from
1850 energy technologies that emit no pollutants or renewable energy
1851 credits. The authority may, in its discretion, retain the services of an
1852 independent consultant with expertise in the area of energy
1853 procurement to assist in such determination. The independent
1854 consultant shall be unaffiliated with the electric distribution company
1855 or its affiliates and shall not, directly or indirectly, have benefited from
1856 employment or contracts with the electric distribution company or its
1857 affiliates in the preceding five years, except as an independent

1858 consultant. The electric distribution company shall provide the
1859 independent consultant immediate and continuing access to all
1860 documents and data reviewed, used or produced by the electric
1861 distribution company in its bid solicitation and evaluation process. The
1862 electric distribution company shall make all its personnel, agents and
1863 contractors used in the bid solicitation and evaluation available for
1864 interview by the consultant. The electric distribution company shall
1865 conduct any additional modeling requested by the independent
1866 consultant to test the assumptions and results of the bid evaluation
1867 process. The independent consultant shall not participate in or advise
1868 the electric distribution company with respect to any decisions in the
1869 bid solicitation or bid evaluation process. The authority's
1870 administrative costs in reviewing the electric distribution company's
1871 procurement plan and the costs of the consultant shall be recovered
1872 through a reconciling component of electric rates as determined by the
1873 authority.

1874 (e) The electric distribution company shall be entitled to recover its
1875 reasonable costs and fees prudently incurred of complying with its
1876 approved procurement plan through a reconciling component of
1877 electric rates as determined by the authority. Nothing in this section
1878 shall preclude the resale or other disposition of energy or associated
1879 renewable energy credits purchased by the electric distribution
1880 company, provided the distribution company shall net the cost of
1881 payments made to projects under the long-term contracts against the
1882 proceeds of the sale of energy or renewable energy credits and the
1883 difference shall be credited or charged to distribution customers
1884 through a reconciling component of electric rates as determined by the
1885 authority that is nonbypassable when switching electric suppliers.

1886 (f) Failure by the electric distribution company to execute its
1887 approved solicitation plan shall result in a noncompliance fee. Unless,
1888 upon petition by the electric distribution company, the authority
1889 grants the distribution company an extension not to exceed ninety
1890 days to correct this deficiency, the electric distribution company shall

1891 be assessed a noncompliance fee one hundred twenty-five per cent of
1892 the difference between the annual distribution company expenditures
1893 required pursuant to subsection (c) of section 16-244r and the
1894 contractually committed expenditure for renewable energy credits
1895 from eligible zero emissions customer-sited generating projects in that
1896 year. The noncompliance fees associated with the procurement
1897 shortfall shall be collected by the distribution company, maintained in
1898 a separate interest-bearing account and disbursed to the department
1899 on a quarterly basis. Funds collected by the authority pursuant to this
1900 section shall be used to support the deployment of Class I zero
1901 emissions generating systems installed in the state with priority given
1902 to otherwise underserved market segments, including, but not limited
1903 to, low-income housing, schools and other public buildings and
1904 nonprofits. The authority may waive a noncompliance fee assessed
1905 pursuant to this section if the authority determines that meeting the
1906 requirements of this subsection would be commercially infeasible.

1907 (g) Not later than sixty days after its approval of the distribution
1908 company procurement plans submitted on or before January 1, 2013,
1909 the Public Utilities Regulatory Authority shall submit a report to the
1910 joint standing committee of the General Assembly having cognizance
1911 of matters relating to energy. The report shall document for each
1912 distribution company procurement plan: (1) The total number of
1913 renewable energy credits bid relative to the number of renewable
1914 energy credits requested by the distribution company; (2) the total
1915 number of bidders in each market segment; (3) the number and value
1916 of contracts awarded; (4) the total weighted average price of the
1917 renewable energy credits or energy so purchased; and (5) the extent to
1918 which the costs of the technology has been reduced. The authority
1919 shall not report individual bid information or other proprietary
1920 information.

1921 Sec. 37. Subsection (a) of section 16-244t of the 2012 supplement to
1922 the general statutes is repealed and the following is substituted in lieu
1923 thereof (*Effective from passage*):

1924 (a) Commencing on January 1, 2012, and within one hundred eighty
1925 days, each electric distribution company shall solicit and file with the
1926 Public Utilities Regulatory Authority for its approval one or more
1927 fifteen-year power purchase contracts with owners or developers of
1928 generation projects that are less than two megawatts in size, located on
1929 the customer side of the revenue meter, serve the distribution system
1930 of the electric distribution company, and use Class I technologies. [that
1931 have no emissions of no more than 0.07 pounds per megawatt-hour of
1932 nitrogen oxides, 0.10 pounds per megawatt-hour of carbon monoxide,
1933 0.02 pounds per megawatt-hour of volatile organic compounds, and
1934 one grain per one hundred standard cubic feet.] The authority may
1935 give a preference to contracts for technologies manufactured,
1936 researched or developed in the state.

1937 Sec. 38. Subsection (b) of section 16-244t of the 2012 supplement to
1938 the general statutes is repealed and the following is substituted in lieu
1939 thereof (*Effective from passage*):

1940 (b) Solicitations conducted by the electric distribution company
1941 shall be for the purchase of renewable energy credits produced by
1942 eligible customer-sited generating projects over the duration of the
1943 contract. The electric distribution company shall be entitled to recover
1944 the reasonable costs and fees incurred in connection with soliciting and
1945 filing power purchase contracts with the authority pursuant to this
1946 section through a reconciling component of electric rates as
1947 determined by the authority, until such company's next scheduled rate
1948 case.

1949 Sec. 39. Section 16-245hh of the 2012 supplement to the general
1950 statutes is repealed and the following is substituted in lieu thereof
1951 (*Effective from passage*):

1952 The Connecticut Clean Energy [Finance and Investment] Authority
1953 created pursuant to section 16-245n, as amended by this act, in
1954 consultation with the [Department] Commissioner of Energy and
1955 Environmental Protection, shall establish a program to be known as

1956 the "condominium renewable energy grant program". Under such
1957 program, the board of directors of the authority shall provide grants to
1958 residential condominium associations and residential condominium
1959 owners, within available funds, for purchasing clean energy sources,
1960 including solar energy, geothermal energy and fuel cells or other
1961 energy-efficient hydrogen-fueled energy.

1962 Sec. 40. Section 16-24a of the 2012 supplement to the general statutes
1963 is repealed and the following is substituted in lieu thereof (*Effective*
1964 *from passage*):

1965 (a) On or before June 30, 2012, the [Department] Commissioner of
1966 Energy and Environmental Protection shall conduct a proceeding
1967 regarding development of low-income discounted rates for service
1968 provided by electric distribution and gas companies, as defined in
1969 section 16-1, as amended by this act, to low-income customers with an
1970 annual income that does not exceed sixty per cent of median income.
1971 Such proceeding shall include, but not be limited to, a review, for
1972 individuals who receive means-tested assistance administered by the
1973 state or federal governments, of the current and future availability of
1974 rate discounts through the department's electricity purchasing pool
1975 operated pursuant to section 16a-14e, energy assistance benefits
1976 available through any plan adopted pursuant to section 16a-41a, state
1977 funded or administered programs, conservation assistance available
1978 pursuant to section 16-245m, as amended by this act, assistance funded
1979 or administered by said department or the Department of Social
1980 Services, or matching payment program benefits available pursuant to
1981 subsection (b) of section 16-262c. The [department] commissioner shall
1982 (1) coordinate resources and programs, to the extent practicable; (2)
1983 develop rates that take into account the indigency of persons of
1984 poverty status and allow such persons' households to meet the costs of
1985 essential energy needs; (3) require the households to have a home
1986 energy audit paid from the Energy Efficiency Fund as a prerequisite to
1987 qualification; (4) prepare an analysis of the benefits and anticipated
1988 costs of such low-income discounted rates; and (5) review utility rate

1989 discount policies or programs in other states.

1990 (b) The [department] commissioner shall determine which, if any, of
1991 its programs shall be modified, terminated or have their funding
1992 reduced because such program beneficiaries would benefit more by
1993 the establishment of a low-income or discount rate. The [department]
1994 commissioner shall establish a rate reduction that is equal to the
1995 anticipated funds transferred from the programs modified, terminated
1996 or reduced by the department pursuant to this section and the reduced
1997 cost of providing service to those eligible for such discounted or low-
1998 income rates, any available energy assistance and other sources of
1999 coverage for such rates, including, but not limited to, generation
2000 available through the electricity purchasing pool operated by the
2001 department. The [department] commissioner may issue
2002 recommendations regarding programs administered by the
2003 Department of Social Services.

2004 (c) The [department] commissioner shall order (1) filing by each
2005 electric distribution company of proposed rates consistent with the
2006 [department's] commissioner's decision pursuant to subsection (a) of
2007 this section not later than sixty days after its issuance; and (2)
2008 appropriate modification of existing low-income programs.

2009 (d) The cost of low-income and discounted rates and related
2010 outreach activities pursuant to this section shall be paid (1) through the
2011 normal rate-making procedures of the [department] Public Utilities
2012 Regulatory Authority, (2) on a semiannual basis through the systems
2013 benefits charge for an electric distribution company, and (3) solely
2014 from the funds of the programs modified, terminated or reduced by
2015 the department pursuant to this section and the reduced cost of
2016 providing service to those eligible for such discounted or low-income
2017 rates, any available energy assistance and other sources of coverage for
2018 such rates, including, but not limited to, generation available through
2019 the electricity purchasing pool operated by the department.

2020 (e) On or before [February] October 1, 2012, the department shall

2021 report, in accordance with section 11-4a, to the joint standing
2022 committee of the General Assembly having cognizance of matters
2023 relating to energy regarding the benefits and costs of the low-income
2024 or discounted rates established pursuant to subsection (a) of this
2025 section, including, but not limited to, possible impacts on existing
2026 customers who qualify for state assistance, and any recommended
2027 modifications. If the low-income rate is not less than ninety per cent of
2028 the standard service rate, the [department] commissioner shall include
2029 in its report steps to achieve that goal. Any such report may be
2030 submitted electronically.

2031 Sec. 41. Section 16-245o of the 2012 supplement to the general
2032 statutes is repealed and the following is substituted in lieu thereof
2033 (*Effective from passage*):

2034 (a) To protect a customer's right to privacy from unwanted
2035 solicitation, each electric company or electric distribution company, as
2036 the case may be, shall distribute to each customer a form approved by
2037 the [Department of Energy and Environmental Protection] Public
2038 Utilities Regulatory Authority which the customer shall submit to the
2039 customer's electric or electric distribution company in a timely manner
2040 if the customer does not want the customer's name, address, telephone
2041 number and rate class to be released to electric suppliers. On and after
2042 July 1, 1999, each electric or electric distribution company, as the case
2043 may be, shall make available to all electric suppliers customer names,
2044 addresses, telephone numbers, if known, and rate class, unless the
2045 electric company or electric distribution company has received a form
2046 from a customer requesting that such information not be released.
2047 Additional information about a customer for marketing purposes shall
2048 not be released to any electric supplier unless a customer consents to a
2049 release by one of the following: (1) An independent third-party
2050 telephone verification; (2) receipt of a written confirmation received in
2051 the mail from the customer after the customer has received an
2052 information package confirming any telephone agreement; (3) the
2053 customer signs a document fully explaining the nature and effect of the

2054 release; or (4) the customer's consent is obtained through electronic
2055 means, including, but not limited to, a computer transaction.

2056 (b) All electric suppliers shall have equal access to customer
2057 information required to be disclosed under subsection (a) of this
2058 section. No electric supplier shall have preferential access to historical
2059 distribution company customer usage data.

2060 (c) No electric or electric distribution company shall include in any
2061 bill or bill insert anything that directly or indirectly promotes a
2062 generation entity or affiliate of the electric distribution company. No
2063 electric supplier shall include a bill insert in an electric bill of an
2064 electric distribution company.

2065 (d) All marketing information provided pursuant to the provisions
2066 of this section shall be formatted electronically by the electric company
2067 or electric distribution company, as the case may be, in a form that is
2068 readily usable by standard commercial software packages. Updated
2069 lists shall be made available within a reasonable time, as determined
2070 by the [department] authority, following a request by an electric
2071 supplier. Each electric supplier seeking the information shall pay a fee
2072 to the electric company or electric distribution company, as the case
2073 may be, which reflects the incremental costs of formatting, sorting and
2074 distributing this information, together with related software changes.
2075 Customers shall be entitled to any available individual information
2076 about their loads or usage at no cost.

2077 (e) Each electric supplier shall, prior to the initiation of electric
2078 generation services, provide the potential customer with a written
2079 notice describing the rates, information on air emissions and resource
2080 mix of generation facilities operated by and under long-term contract
2081 to the supplier, terms and conditions of the service, and a notice
2082 describing the customer's right to cancel the service, as provided in this
2083 section. No electric supplier shall provide electric generation services
2084 unless the customer has signed a service contract or consents to such
2085 services by one of the following: (1) An independent third-party

2086 telephone verification; (2) receipt of a written confirmation received in
2087 the mail from the customer after the customer has received an
2088 information package confirming any telephone agreement; (3) the
2089 customer signs a contract that conforms with the provisions of this
2090 section; or (4) the customer's consent is obtained through electronic
2091 means, including, but not limited to, a computer transaction. Each
2092 electric supplier shall provide each customer with a demand of less
2093 than one hundred kilowatts, a written contract that conforms with the
2094 provisions of this section and maintain records of such signed service
2095 contract or consent to service for a period of not less than two years
2096 from the date of expiration of such contract, which records shall be
2097 provided to the [department] authority or the customer upon request.
2098 Each contract for electric generation services shall contain all material
2099 terms of the agreement, a clear and conspicuous statement explaining
2100 the rates that such customer will be paying, including the
2101 circumstances under which the rates may change, a statement that
2102 provides specific directions to the customer as to how to compare the
2103 price term in the contract to the customer's existing electric generation
2104 service charge on the electric bill and how long those rates are
2105 guaranteed. Such contract shall also include a clear and conspicuous
2106 statement providing the customer's right to cancel such contract not
2107 later than three days after signature or receipt in accordance with the
2108 provisions of this subsection, describing under what circumstances, if
2109 any, the supplier may terminate the contract and describing any
2110 penalty for early termination of such contract. Each contract shall be
2111 signed by the customer, or otherwise agreed to in accordance with the
2112 provisions of this subsection. A customer who has a maximum
2113 demand of five hundred kilowatts or less shall, until midnight of the
2114 third business day after the latter of the day on which the customer
2115 enters into a service agreement or the day on which the customer
2116 receives the written contract from the electric supplier as provided in
2117 this section, have the right to cancel a contract for electric generation
2118 services entered into with an electric supplier.

2119 (f) (1) Any third-party agent who contracts with or is otherwise

2120 compensated by an electric supplier to sell electric generation services
2121 shall be a legal agent of the electric supplier. No third-party agent may
2122 sell electric generation services on behalf of an electric supplier unless
2123 (A) the third-party agent is an employee or independent contractor of
2124 such electric supplier, and (B) the third-party agent has received
2125 appropriate training directly from such electric supplier.

2126 (2) On or after July 1, 2011, all sales and solicitations of electric
2127 generation services by an electric supplier, aggregator or agent of an
2128 electric supplier or aggregator to a customer with a maximum demand
2129 of one hundred kilowatts or less conducted and consummated entirely
2130 by mail, door-to-door sale, telephone or other electronic means, during
2131 a scheduled appointment at the premises of a customer or at a fair,
2132 trade or business show, convention or exposition in addition to
2133 complying with the provisions of subsection (e) of this section shall:

2134 (A) For any sale or solicitation, including from any person
2135 representing such electric supplier, aggregator or agent of an electric
2136 supplier or aggregator (i) identify the person and the electric
2137 generation services company or companies the person represents; (ii)
2138 provide a statement that the person does not represent an electric
2139 distribution company; (iii) explain the purpose of the solicitation; and
2140 (iv) explain all rates, fees, variable charges and terms and conditions
2141 for the services provided; and

2142 (B) For door-to-door sales to customers with a maximum demand of
2143 one hundred kilowatts, which shall include the sale of electric
2144 generation services in which the electric supplier, aggregator or agent
2145 of an electric supplier or aggregator solicits the sale and receives the
2146 customer's agreement or offer to purchase at a place other than the
2147 seller's place of business, be conducted (i) in accordance with any
2148 municipal and local ordinances regarding door-to-door solicitations,
2149 (ii) between the hours of ten o'clock a.m. and six o'clock p.m. unless the
2150 customer schedules an earlier or later appointment, and (iii) with both
2151 English and Spanish written materials available. Any representative of

2152 an electric supplier, aggregator or agent of an electric supplier or
2153 aggregator shall prominently display or wear a photo identification
2154 badge stating the name of such person's employer or the electric
2155 supplier the person represents.

2156 (3) No electric supplier, aggregator or agent of an electric supplier
2157 or aggregator shall advertise or disclose the price of electricity to
2158 mislead a reasonable person into believing that the electric generation
2159 services portion of the bill will be the total bill amount for the delivery
2160 of electricity to the customer's location. When advertising or disclosing
2161 the price for electricity, the electric supplier, aggregator or agent of an
2162 electric supplier or aggregator shall also disclose the electric
2163 distribution company's current charges, including the competitive
2164 transition assessment and the systems benefits charge, for that
2165 customer class.

2166 (4) No entity, including an aggregator or agent of an electric
2167 supplier or aggregator, who sells or offers for sale any electric
2168 generation services for or on behalf of an electric supplier, shall engage
2169 in any deceptive acts or practices in the marketing, sale or solicitation
2170 of electric generation services.

2171 (5) Each electric supplier shall disclose to the Public Utilities
2172 Regulatory Authority in a standardized format (A) the amount of
2173 additional renewable energy credits such supplier will purchase
2174 beyond required credits, (B) where such additional credits are being
2175 sourced from, and (C) the types of renewable energy sources that will
2176 be purchased. Each electric supplier shall only advertise renewable
2177 energy credits purchased beyond those required pursuant to section
2178 16-245a and shall report to the authority the renewable energy sources
2179 of such credits and whenever the mix of such sources changes.

2180 (6) No contract for electric generation services by an electric supplier
2181 shall require a residential customer to pay any fee for termination or
2182 early cancellation of a contract in excess of (A) one hundred dollars; or
2183 (B) twice the estimated bill for energy services for an average month,

2184 whichever is less, provided when an electric supplier offers a contract,
2185 it provides the residential customer an estimate of such customer's
2186 average monthly bill.

2187 (7) An electric supplier shall not make a material change in the
2188 terms or duration of any contract for the provision of electric
2189 generation services by an electric supplier without the express consent
2190 of the customer. Nothing in this subdivision shall restrict an electric
2191 supplier from renewing a contract by clearly informing the customer,
2192 in writing, not less than thirty days or more than sixty days before the
2193 renewal date, of the renewal terms and of the option not to accept the
2194 renewal offer, provided no fee pursuant to subdivision (6) of this
2195 section shall be charged to a customer who terminates or cancels such
2196 renewal not later than seven business days after receiving the first
2197 billing statement for the renewed contract.

2198 (8) Each electric supplier shall file annually with the authority a list
2199 of any aggregator or agent working on behalf of such supplier.

2200 (g) Each electric supplier, aggregator or agent of an electric supplier
2201 or aggregator shall comply with the provisions of the telemarketing
2202 regulations adopted pursuant to 15 USC 6102.

2203 (h) Any violation of this section shall be deemed an unfair or
2204 deceptive trade practice under subsection (a) of section 42-110b. Any
2205 contract for electric generation services that the authority finds to be
2206 the product of unfair or deceptive marketing practices or in material
2207 violation of the provisions of this section shall be void and
2208 unenforceable. Any waiver of the provisions of this section by a
2209 customer of electric generation services shall be deemed void and
2210 unenforceable by the electric supplier.

2211 (i) Any violation or failure to comply with any provision of this
2212 section shall be subject to (1) civil penalties by the [department]
2213 authority in accordance with section 16-41, (2) the suspension or
2214 revocation of an electric supplier or aggregator's license, or (3) a

2215 prohibition on accepting new customers following a hearing that is
2216 conducted as a contested case in accordance with chapter 54.

2217 (j) The [department] authority may adopt regulations, in accordance
2218 with the provisions of chapter 54, to include, but not be limited to,
2219 abusive switching practices, solicitations and renewals by electric
2220 suppliers.

2221 Sec. 42. Subsection (a) of section 16-245d of the 2012 supplement to
2222 the general statutes is repealed and the following is substituted in lieu
2223 thereof (*Effective from passage*):

2224 (a) The [Department of Energy and Environmental Protection]
2225 Public Utilities Regulatory Authority shall, by regulations adopted
2226 pursuant to chapter 54, develop a standard billing format that enables
2227 customers to compare pricing policies and charges among electric
2228 suppliers. The [department] authority shall adopt regulations, in
2229 accordance with the provisions of chapter 54, to provide that an
2230 electric supplier, until July 1, 2012, may provide direct billing and
2231 collection services for electric generation services and related federally
2232 mandated congestion charges that such supplier provides to its
2233 customers with a maximum demand of not less than one hundred
2234 kilowatts that choose to receive a bill directly from such supplier and,
2235 on and after July 1, 2012, shall provide direct billing and collection
2236 services for electric generation services and related federally mandated
2237 congestion charges that such suppliers provide to their customers or
2238 may choose to obtain such billing and collection service through an
2239 electric distribution company and pay its pro rata share in accordance
2240 with the provisions of subsection (h) of section 16-244c. Any customer
2241 of an electric supplier, which is choosing to provide direct billing, who
2242 paid for the cost of billing and other services to an electric distribution
2243 company shall receive a credit on their monthly bill.

2244 (1) An electric supplier that chooses to provide billing and collection
2245 services shall, in accordance with the billing format developed by the
2246 [department] authority, include the following information in each

2247 customer's bill: (A) The total amount owed by the customer, which
2248 shall be itemized to show (i) the electric generation services component
2249 and any additional charges imposed by the electric supplier, and (ii)
2250 federally mandated congestion charges applicable to the generation
2251 services; (B) any unpaid amounts from previous bills, which shall be
2252 listed separately from current charges; (C) the rate and usage for the
2253 current month and each of the previous twelve months in bar graph
2254 form or other visual format; (D) the payment due date; (E) the interest
2255 rate applicable to any unpaid amount; (F) the toll-free telephone
2256 number of the Public Utilities Regulatory Authority for questions or
2257 complaints; and (G) the toll-free telephone number and address of the
2258 electric supplier. On or before February 1, 2012, the authority shall
2259 conduct a review of the costs and benefits of suppliers billing for all
2260 components of electric service, and report, in accordance with the
2261 provisions of section 11-4a, to the joint standing committee of the
2262 General Assembly having cognizance of matters relating to energy
2263 regarding the results of such review. Any such report may be
2264 submitted electronically.

2265 (2) An electric distribution company shall, in accordance with the
2266 billing format developed by the authority, include the following
2267 information in each customer's bill: (A) The total amount owed by the
2268 customer, which shall be itemized to show, (i) the electric generation
2269 services component if the customer obtains standard service or last
2270 resort service from the electric distribution company, (ii) the
2271 distribution charge, including all applicable taxes and the systems
2272 benefits charge, as provided in section 16-245l, (iii) the transmission
2273 rate as adjusted pursuant to subsection (d) of section 16-19b, (iv) the
2274 competitive transition assessment, as provided in section 16-245g, (v)
2275 federally mandated congestion charges, and (vi) the conservation and
2276 renewable energy charge, consisting of the conservation and load
2277 management program charge, as provided in section 16-245m, as
2278 amended by this act, and the renewable energy investment charge, as
2279 provided in section 16-245n, as amended by this act; (B) any unpaid
2280 amounts from previous bills which shall be listed separately from

2281 current charges; (C) except for customers subject to a demand charge,
2282 the rate and usage for the current month and each of the previous
2283 twelve months in the form of a bar graph or other visual form; (D) the
2284 payment due date; (E) the interest rate applicable to any unpaid
2285 amount; (F) the toll-free telephone number of the electric distribution
2286 company to report power losses; (G) the toll-free telephone number of
2287 the Public Utilities Regulatory Authority for questions or complaints;
2288 and (H) if a customer has a demand of five hundred kilowatts or less
2289 during the preceding twelve months, a statement about the availability
2290 of information concerning electric suppliers pursuant to section 16-
2291 245p.

2292 Sec. 43. Subsection (a) of section 16a-40l of the 2012 supplement to
2293 the general statutes is repealed and the following is substituted in lieu
2294 thereof (*Effective from passage*):

2295 (a) On or before October 1, 2011, the Department of Energy and
2296 Environmental Protection shall establish a residential heating
2297 equipment financing program. Such program shall allow residential
2298 customers to finance, through on-bill financing or other mechanism,
2299 the installation of energy efficient natural gas or heating oil burners,
2300 boilers and furnaces or ductless heat pumps to replace (1) burners,
2301 boilers and furnaces that are not less than seven years old with an
2302 efficiency rating of not more than seventy-five per cent, or (2) electric
2303 heating systems. Eligible fuel oil furnaces shall have an efficiency
2304 rating of not less than eighty-six per cent. An eligible fuel oil burner
2305 shall have an efficiency rating of not less than eighty-six per cent with
2306 temperature reset controls. An eligible natural gas boiler shall have an
2307 annual fuel utilization efficiency rating of not less than ninety per cent
2308 and an eligible natural gas furnace shall have an annual fuel utilization
2309 efficiency rating of not less than ninety-five per cent. To participate in
2310 the program established pursuant to this subsection, a customer shall
2311 first have a home energy audit, the cost of which may be financed
2312 pursuant to subsection (b) of this section.

2313 Sec. 44. Subsection (f) of section 16a-40l of the 2012 supplement to
2314 the general statutes is repealed and the following is substituted in lieu
2315 thereof (*Effective from passage*):

2316 (f) On or before October 1, 2011, the department shall begin
2317 accepting applications for financial incentives for combined heat and
2318 power systems of not more than [one megawatt] five megawatts of
2319 power. To qualify for such financial incentives, such combined heat
2320 and power system shall reduce energy costs at an amount equal to or
2321 greater than the amount of the installation cost of the system within
2322 ten years of the installation. The department shall review the current
2323 market conditions for such systems, including any existing federal or
2324 state financial incentives, and determine the appropriate financial
2325 incentives under this program necessary to encourage installation of
2326 such systems. Such financial incentives may include providing private
2327 financial institutions with loan loss protection or grants to lower
2328 borrowing costs. Financial incentives pursuant to this subdivision shall
2329 not exceed two hundred dollars per kilowatt. A project accepted for
2330 such incentives shall qualify for a waiver of (1) the backup power rate
2331 under section 16-243o, and (2) the requirement to provide baseload
2332 electricity under section 16-243i. Any purchase of natural gas for any
2333 combined heat and power system installed pursuant to this
2334 subdivision shall not include a distribution charge pursuant to section
2335 16-243l.

2336 Sec. 45. Section 16a-37u of the 2012 supplement to the general
2337 statutes is repealed and the following is substituted in lieu thereof
2338 (*Effective from passage*):

2339 (a) The Commissioner of Energy and Environmental Protection
2340 shall be responsible for planning and managing energy use in state-
2341 owned and leased buildings and shall establish a program to maximize
2342 the efficiency with which energy is utilized in such buildings. The
2343 commissioner shall exercise this authority by (1) preparing and
2344 implementing annual and long-range plans, with timetables,

2345 establishing goals for reducing state energy consumption and, based
2346 on energy audits, specific objectives for state agencies to meet the
2347 performance standards adopted under section 16a-38; (2) coordinating
2348 federal and state energy conservation resources and activities,
2349 including but not limited to, those required to be performed by other
2350 state agencies under this chapter; and (3) monitoring energy use and
2351 costs by budgeted state agencies on a monthly basis.

2352 (b) On or before July 1, 2012, the commissioner, in consultation with
2353 the Department of Administrative Services, shall develop a plan to
2354 reduce energy use in buildings owned or leased by the state by
2355 January 1, 2013, by at least ten per cent from its current consumption
2356 and by January 1, 2018, by an additional ten per cent. Such plan shall
2357 include, but not be limited to, (1) assessing current energy
2358 consumption for all fuels used in state-owned buildings, (2)
2359 identifying not less than one hundred such buildings with the highest
2360 aggregate energy costs in the fiscal year ending June 30, 2011, (3)
2361 establishing targets for conducting energy audits of such buildings,
2362 and (4) determining which energy efficiency measures are most cost-
2363 effective for such buildings. Such plan shall provide for the financing
2364 of such measures through the use of energy-savings performance
2365 contracting, pursuant to subsection (c) of this section, bonding or other
2366 means.

2367 (c) Any state agency or municipality may enter into an energy-
2368 savings performance contract, as defined in section 16a-37x, with a
2369 qualified energy service provider, as defined in said section 16a-37x, to
2370 produce utility cost savings, as defined in said section 16a-37x, or
2371 operation and maintenance cost savings, as defined in said section 16a-
2372 37x. Any energy-savings measure, as defined in said section 16a-37x,
2373 implemented under such contracts shall comply with state [or] and
2374 local building codes. Any state agency or municipality may implement
2375 other capital improvements in conjunction with an energy-savings
2376 performance contract as long as the measures that are being
2377 implemented to achieve utility and operation and maintenance cost

2378 savings and other capital improvements are in the aggregate cost
2379 effective over the term of the contract.

2380 (d) On or before January 1, 2013, and annually thereafter, the
2381 commissioner shall report, in accordance with the provisions of section
2382 11-4a, on the status of its implementation of the plan and provide
2383 recommendations regarding energy use in state buildings to the joint
2384 standing committee of the General Assembly having cognizance of
2385 matters relating to energy. Any such report may be submitted
2386 electronically.

2387 (e) Not later than January fifth, annually, the commissioner shall
2388 submit a report to the Governor and the joint standing committee of
2389 the General Assembly having cognizance of matters relating to energy
2390 planning and activities. The report shall (1) indicate the total number
2391 of energy audits and technical assistance audits of state-owned and
2392 leased buildings, (2) summarize the status of the energy conservation
2393 measures recommended by such audits, (3) summarize all energy
2394 conservation measures implemented during the preceding twelve
2395 months in state-owned and leased buildings which have not had such
2396 audits, (4) analyze the availability and allocation of funds to
2397 implement the measures recommended under subdivision (2) of this
2398 subsection, (5) list each budgeted agency, as defined in section 4-69,
2399 which occupies a state-owned or leased building and has not
2400 cooperated with the Commissioner of Administrative Services and the
2401 Commissioner of Energy and Environmental Protection in conducting
2402 energy and technical assistance audits of such building and
2403 implementing operational and maintenance improvements
2404 recommended by such audits and any other energy conservation
2405 measures required for such building by the [secretary] commissioner,
2406 in consultation with the Secretary of the Office of Policy and
2407 Management, (6) summarize all life-cycle cost analyses prepared under
2408 section 16a-38 during the preceding twelve months, and summarize
2409 agency compliance with the life-cycle cost analyses, and (7) identify
2410 any state laws, regulations or procedures that impede innovative

2411 energy conservation and load management projects in state buildings.
2412 Any such report may be submitted electronically.

2413 (f) The commissioner, in conjunction with the Department of
2414 Administrative Services, shall as soon as practicable and where cost-
2415 effective connect all state-owned buildings to a district heating and
2416 cooling system, where such heating and cooling system currently
2417 exists or where one is proposed. The commissioner, in conjunction
2418 with the Department of Administrative Services, shall prepare an
2419 annual report with the results of the progress in connecting state-
2420 owned buildings to such a heating and cooling system, the cost of such
2421 connection and any projected energy savings achieved through any
2422 such connection. The commissioner shall submit the report to the joint
2423 standing committee of the General Assembly having cognizance of
2424 matters relating to energy on or before January 1, 1993, and January
2425 first annually thereafter.

2426 (g) The commissioner shall require each state agency to maximize
2427 its use of public service companies' energy conservation and load
2428 management programs and to provide sites in its facilities for
2429 demonstration projects of highly energy efficient equipment, provided
2430 no such demonstration project impairs the functioning of the facility.

2431 (h) The commissioner, in consultation with the Department of
2432 Administrative Services, shall establish energy efficiency standards for
2433 building space leased by the state on or after January 1, 2013.

2434 Sec. 46. Section 16-244u of the 2012 supplement to the general
2435 statutes is repealed and the following is substituted in lieu thereof
2436 (*Effective from passage*):

2437 (a) As used in this section:

2438 (1) "Beneficial account" means an in-state retail end user of an
2439 electric distribution company designated by a customer host in such
2440 electric distribution company's service area to receive virtual net

2441 metering credits from a virtual net metering facility;

2442 (2) "Customer host" means an in-state retail end user of an electric
2443 distribution company that owns a virtual net metering facility and
2444 participates in virtual net metering;

2445 (3) "Unassigned virtual net metering credit" means in any given
2446 electric distribution company monthly billing period, a virtual net
2447 metering credit that remains after both the customer host and its
2448 beneficial accounts have been billed for zero kilowatt hours related
2449 solely to the generation service charges on such billings through
2450 virtual net metering;

2451 (4) "Virtual net metering" means the process of combining the
2452 electric meter readings and billings, including any virtual net metering
2453 credits, for a customer host and a beneficial account through an electric
2454 distribution company billing process related solely to the generation
2455 service charges on such billings;

2456 (5) "Virtual net metering credit" means a credit equal to the retail
2457 cost per kilowatt hour the customer host may have otherwise been
2458 charged for each kilowatt hour produced by a virtual net metering
2459 facility that exceeds the total amount of kilowatt hours used during an
2460 electric distribution company monthly billing period; [and]

2461 (6) "Virtual net metering facility" means a Class I renewable energy
2462 source that: (A) Is served by an electric distribution company, owned
2463 or leased by a customer host and serves the electricity needs of the
2464 customer host and its beneficial accounts; (B) is within the same
2465 electric distribution company service territory as the customer host
2466 and its beneficial accounts; and (C) has a nameplate capacity rating of
2467 two megawatts or less; and

2468 (7) "Governmental customer" or "governmental customer host"
2469 means the state or any municipality.

2470 (b) Each electric distribution company shall provide virtual net

2471 metering to its [municipal] governmental customers and shall make
2472 any necessary interconnections for a virtual net metering facility. Upon
2473 request by a [municipal] governmental customer host to implement
2474 the provisions of this section, an electric distribution company shall
2475 install metering equipment, if necessary. For each [municipal]
2476 governmental customer host, such metering equipment shall (1)
2477 measure electricity consumed from the electric distribution company's
2478 facilities; (2) deduct the amount of electricity produced but not
2479 consumed; and (3) register, for each monthly billing period, the net
2480 amount of electricity produced and, if applicable, consumed. If, in a
2481 given monthly billing period, a [municipal] governmental customer
2482 host supplies more electricity to the electric distribution system than
2483 the electric distribution company delivers to the [municipal]
2484 governmental customer host, the electric distribution company shall
2485 bill the [municipal] governmental customer host for zero kilowatt
2486 hours of generation and assign a virtual net metering credit to the
2487 [municipal] governmental customer host's beneficial accounts for the
2488 next monthly billing period. Such credit shall be applied against the
2489 generation service component of the beneficial account. Such credit
2490 shall be allocated among such accounts in proportion to their
2491 consumption for the previous twelve billing periods.

2492 (c) An electric distribution company shall carry forward any
2493 unassigned virtual net metering generation credits earned by the
2494 [municipal] governmental customer host from one monthly billing
2495 period to the next until the end of the calendar year. At the end of each
2496 calendar year, the electric distribution company shall compensate the
2497 [municipal] governmental customer host for any unassigned virtual
2498 net metering generation credits at the rate the electric distribution
2499 company pays for power procured to supply standard service
2500 customers pursuant to section 16-244c, as amended by this act.

2501 (d) At least sixty days before a [municipal] governmental customer
2502 host's virtual net metering facility becomes operational, the
2503 [municipal] governmental customer host shall provide written notice

2504 to the electric distribution company of its beneficial accounts. The
2505 [municipal] governmental customer host may change its list of
2506 beneficial accounts not more than once annually by providing another
2507 sixty days' written notice. The [municipal] governmental customer
2508 host shall not designate more than five beneficial accounts.

2509 (e) On or before February 1, 2012, the [Department of Energy and
2510 Environmental Protection] Public Utilities Regulatory Authority shall
2511 conduct a proceeding to develop the administrative processes and
2512 program specifications, including, but not limited to, a cap of one
2513 million dollars per year apportioned to each electric distribution
2514 company based on consumer load for credits provided to beneficial
2515 accounts pursuant to subsection (c) of this section and payments made
2516 pursuant to subsection (d) of this section.

2517 (f) On or before January 1, 2013, and annually thereafter, each
2518 electric distribution company shall report to the [department]
2519 authority on the cost of its virtual net metering program pursuant to
2520 this section and the [department] authority shall combine such
2521 information and report it annually, in accordance with the provisions
2522 of section 11-4a, to the joint standing committee of the General
2523 Assembly having cognizance of matters relating to energy.

2524 Sec. 47. Subdivision (3) of subsection (f) of section 16a-40f of the
2525 2012 supplement to the general statutes is repealed and the following
2526 is substituted in lieu thereof (*Effective from passage*):

2527 (3) The amount of a fee paid for an energy audit provided pursuant
2528 to this program may be added to the amount of a loan to finance the
2529 cost of an eligible project conducted in response to such energy audit.
2530 In such cases, the amount of the fee may be reimbursed from the
2531 [fund] Green Connecticut Loan Guaranty Fund to the borrower.

2532 Sec. 48. Subsection (a) of section 16-244v of the 2012 supplement to
2533 the general statutes is repealed and the following is substituted in lieu
2534 thereof (*Effective from passage*):

2535 (a) Notwithstanding subsection (a) of section 16-244e, an electric
2536 distribution company, or owner or developer of generation projects,
2537 [that emit no pollutants,] may submit a proposal to the Department of
2538 Energy and Environmental Protection to build, own or operate one or
2539 more generation facilities up to an aggregate of thirty megawatts using
2540 Class I renewable energy sources as defined in section 16-1, as
2541 amended by this act, from July 1, 2011, to July 1, 2013. Each facility
2542 shall be greater than one megawatt but not more than five megawatts.
2543 Each electric distribution company may enter into joint ownership
2544 agreements, partnerships or other agreements with private developers
2545 to carry out the provisions of this section. The aggregate ownership for
2546 an electric distribution company pursuant to this section shall not
2547 exceed ten megawatts. The department shall evaluate such proposals
2548 pursuant to sections 16-19 and 16-19e, as amended by this act, and may
2549 approve one or more of such proposals if it finds that the proposal
2550 serves the long-term interest of ratepayers. The department (1) shall
2551 not approve any proposal supported in any form of cross subsidization
2552 by entities affiliated with the electric distribution company, and (2)
2553 shall give preference to proposals that make efficient use of existing
2554 sites and supply infrastructure. No such company may, under any
2555 circumstances, recover more than the full costs identified in a proposal,
2556 as approved by the department. Nothing in this section shall preclude
2557 the resale or other disposition of energy or associated renewable
2558 energy credits purchased by the electric distribution company,
2559 provided the distribution company shall net the cost of payments
2560 made to projects under the long-term contracts against the proceeds of
2561 the sale of energy or renewable energy credits and the difference shall
2562 be credited or charged to distribution customers through a reconciling
2563 component of electric rates as determined by the authority that is
2564 nonbypassable when switching electric suppliers.

2565 Sec. 49. Section 16a-46h of the 2012 supplement to the general
2566 statutes is repealed and the following is substituted in lieu thereof
2567 (*Effective from passage*):

2568 Each electric, gas or heating fuel customer, regardless of heating
2569 source, shall be assessed [the same] fees, charges, co-pays or other
2570 similar terms to access any audits administered by the Home Energy
2571 Solutions program [, provided the costs of subsidizing such audits to
2572 ratepayers whose primary source of heat is not electricity or natural
2573 gas shall not exceed five hundred thousand dollars per year] that
2574 reflect the contributions made to the Energy Efficiency Fund by each
2575 such customer's respective customer type, provided such fee, charge,
2576 co-pay or other similar term shall not exceed seventy-five dollars for
2577 any such audit.

2578 Sec. 50. Section 133 of public act 11-80 is repealed and the following
2579 is substituted in lieu thereof (*Effective from passage*):

2580 The [Public Utilities Regulatory Authority] Commissioner of Energy
2581 and Environmental Protection shall [conduct a proceeding to] analyze
2582 the costs and benefits of allowing an electric distribution company to
2583 earn a rate of return, subject to section 16-19e of the general statutes, as
2584 amended by this act, on its long-term investments in energy efficiency.
2585 Any affected stakeholder may submit to the commissioner any
2586 information relevant to the commissioner's analysis, pursuant to this
2587 section. In conducting such analysis, the commissioner shall consult
2588 with the Public Utilities Regulatory Authority and the Office of
2589 Consumer Counsel concerning any effects on ratepayers. On or before
2590 [February] October 1, 2012, the [authority] commissioner shall report
2591 the results of such [proceeding] analysis in accordance with the
2592 provisions of section 11-4a of the general statutes to the joint standing
2593 committee of the General Assembly having cognizance of matters
2594 relating to energy. Any such report may be submitted electronically.

2595 Sec. 51. Section 16a-46i of the 2012 supplement to the general
2596 statutes is repealed and the following is substituted in lieu thereof
2597 (*Effective from passage*):

2598 On or before October 1, 2011, the Department of Energy and
2599 Environmental Protection shall establish a natural gas and heating oil

2600 conversion program to allow a gas or heating oil company to finance
2601 the conversion to gas heat or home heating oil by potential residential
2602 customers who heat their homes with electricity. The [department]
2603 Commissioner of Energy and Environmental Protection shall adopt
2604 regulations in accordance with the provisions of chapter 54 to establish
2605 procedures and terms for such program and shall, on or before January
2606 1, 2012, and annually thereafter, report in accordance with the
2607 provisions of section 11-4a, to the joint standing committees of the
2608 General Assembly having cognizance of matters relating to energy and
2609 the environment regarding the progress of such program. Any such
2610 report may be submitted electronically.

2611 Sec. 52. Section 12-217mm of the 2012 supplement to the general
2612 statutes is repealed and the following is substituted in lieu thereof
2613 (*Effective from passage*):

2614 (a) As used in this section:

2615 (1) "Allowable costs" means the amounts chargeable to a capital
2616 account, including, but not limited to: (A) Construction or
2617 rehabilitation costs; (B) commissioning costs; (C) architectural and
2618 engineering fees allocable to construction or rehabilitation, including
2619 energy modeling; (D) site costs, such as temporary electric wiring,
2620 scaffolding, demolition costs and fencing and security facilities; and (E)
2621 costs of carpeting, partitions, walls and wall coverings, ceilings,
2622 lighting, plumbing, electrical wiring, mechanical, heating, cooling and
2623 ventilation but "allowable costs" does not include the purchase of land,
2624 any remediation costs or the cost of telephone systems or computers;

2625 (2) "Brownfield" has the same meaning as in subsection (g) of
2626 section 32-9cc;

2627 (3) "Eligible project" means a real estate development project that is
2628 designed to meet or exceed the applicable LEED Green Building
2629 Rating System gold certification or other certification determined by
2630 the Commissioner of Energy and Environmental Protection to be

2631 equivalent, but if a single project has more than one building, "eligible
2632 project" means only the building or buildings within such project that
2633 is designed to meet or exceed the applicable LEED Green Building
2634 Rating System gold certification or other certification determined by
2635 the Commissioner of Energy and Environmental Protection to be
2636 equivalent;

2637 (4) "Energy Star" means the voluntary labeling program
2638 administered by the United States Environmental Protection Agency
2639 designed to identify and promote energy-efficient products,
2640 equipment and buildings;

2641 (5) "Enterprise zone" means an area in a municipality designated by
2642 the Commissioner of Economic and Community Development as an
2643 enterprise zone in accordance with the provisions of section 32-70;

2644 (6) "LEED Accredited Professional Program" means the professional
2645 accreditation program for architects, engineers and other building
2646 professionals as administered by the United States Green Building
2647 Council;

2648 (7) "LEED Green Building Rating System" means the Leadership in
2649 Energy and Environmental Design green building rating system
2650 developed by the United States Green Building Council as of the date
2651 that the project is registered with the United States Green Building
2652 Council;

2653 (8) "Mixed-use development" means a development consisting of
2654 one or more buildings that includes residential use and in which no
2655 more than seventy-five per cent of the interior square footage has at
2656 least one of the following uses: (A) Commercial use; (B) office use; (C)
2657 retail use; or (D) any other nonresidential use that the [Secretary of the
2658 Office of Policy and Management] Commissioner of Energy and
2659 Environmental Protection determines does not pose a public health
2660 threat or nuisance to nearby residential areas;

2661 (9) "Secretary" means the Secretary of the Office of Policy and
2662 Management; [and]

2663 (10) "Site improvements" means any construction work on, or
2664 improvement to, streets, roads, parking facilities, sidewalks, drainage
2665 structures and utilities; and

2666 (11) "Commissioner" means the Commissioner of Energy and
2667 Environmental Protection.

2668 (b) For income years commencing on and after January 1, 2012,
2669 there may be allowed a credit for all taxpayers against any tax due
2670 under the provisions of this chapter for the construction or renovation
2671 of an eligible project that meets the requirements of subsection (c) of
2672 this section, and, in the case of a newly constructed building, for which
2673 a certificate of occupancy has been issued not earlier than January 1,
2674 2010.

2675 (c) (1) To be eligible for a tax credit under this section a project shall:
2676 (A) Not have energy use that exceeds (i) seventy per cent of the energy
2677 use permitted by the state building code for new construction, or (ii)
2678 eighty per cent of the energy use permitted by the state energy code
2679 for renovation or rehabilitation of a building; and (B) use equipment
2680 and appliances that meet Energy Star standards, if applicable,
2681 including, but not limited to, refrigerators, dishwashers and washing
2682 machines.

2683 (2) The credit shall be equivalent to a base credit as follows: (A) For
2684 new construction or major renovation of a building but not other site
2685 improvements certified by the LEED Green Building Rating System or
2686 other system determined by the Commissioner of Energy and
2687 Environmental Protection to be equivalent, (i) eight per cent of
2688 allowable costs for a gold rating or other rating determined by the
2689 Commissioner of Energy and Environmental Protection to be
2690 equivalent, and (ii) ten and one-half per cent of allowable costs for a
2691 platinum rating or other rating determined by the Commissioner of

2692 Energy and Environmental Protection to be equivalent; and (B) for core
2693 and shell or commercial interior projects, (i) five per cent of allowable
2694 costs for a gold rating or other rating determined by the Commissioner
2695 of Energy and Environmental Protection to be equivalent, and (ii)
2696 seven per cent of allowable costs for a platinum rating or other rating
2697 determined by the Commissioner of Energy and Environmental
2698 Protection to be equivalent. There shall be added to the base credit
2699 one-half of one per cent of allowable costs for a development project
2700 that is (I) a mixed-use development, (II) located in a brownfield or
2701 enterprise zone, (III) does not require a sewer extension of more than
2702 one-eighth of a mile, or (IV) located within one-quarter of a mile
2703 walking distance of publicly available bus transit service or within
2704 one-half of a mile walking distance of adequate rail, light rail, streetcar
2705 or ferry transit service, provided, if a single project has more than one
2706 building, at least one building shall be located within either such
2707 distance. Allowable costs shall not exceed two hundred fifty dollars
2708 per square foot for new construction or one hundred fifty dollars per
2709 square foot for renovation or rehabilitation of a building.

2710 (d) (1) The [Secretary of the Office of Policy and Management may]
2711 commissioner shall issue an initial credit voucher upon determination
2712 that the applicant is likely, within a reasonable time, to place in service
2713 property qualifying for a credit under this section. Such voucher shall
2714 state: (A) The first income year for which the credit may be claimed,
2715 (B) the maximum amount of credit allowable, and (C) the expiration
2716 date by which such property shall be placed in service. The expiration
2717 date may be extended at the discretion of the [secretary] commissioner.
2718 Such voucher shall reserve the credit allowable for the applicant
2719 named in the application until the expiration date. If the expiration
2720 date is extended, the reservation of the tax credit may also be extended
2721 at the discretion of the [secretary] commissioner.

2722 (2) The aggregate amount of all tax credits in initial credit vouchers
2723 issued by the [secretary] commissioner shall not exceed twenty-five
2724 million dollars.

2725 (3) For each income year for which a taxpayer claims a credit under
2726 this section, the taxpayer shall obtain an eligibility certificate from an
2727 architect or professional engineer licensed to practice in this state and
2728 accredited through the LEED Accredited Professional Program or
2729 other program determined by the Commissioner of Energy and
2730 Environmental Protection to be equivalent. Such certificate shall
2731 consist of a certification, under the seal of such architect or engineer,
2732 that the building, base building or tenant space with respect to which
2733 the credit is claimed, meets or exceeds the applicable LEED Green
2734 Building Rating System gold certification, or other certification
2735 determined by the Commissioner of Energy and Environmental
2736 Protection to be equivalent in effect at the time such certification is
2737 made. Such certification shall set forth the specific findings upon
2738 which the certification is based and shall state that the architect or
2739 engineer is accredited through the LEED Accredited Professional
2740 Program or other program determined by the Commissioner of Energy
2741 and Environmental Protection to be equivalent.

2742 (4) To obtain the credit, the taxpayer shall file the initial credit
2743 voucher described in subdivision (1) of this subsection, the eligibility
2744 certificate described in subdivision (3) of this subsection and an
2745 application to claim the credit with the Commissioner of Revenue
2746 Services. The commissioner shall approve the claim upon
2747 determination that the taxpayer has submitted the voucher and
2748 certification required under this subdivision. The applicant shall send
2749 a copy of all such documents to the [secretary] commissioner.

2750 (e) (1) A taxpayer may claim not more than a total of twenty-five per
2751 cent of allowable costs in any income year, and any percentage of tax
2752 credit that the taxpayer would otherwise be entitled to in accordance
2753 with subsection (c) of this section may be carried forward for a period
2754 of not more than five years.

2755 (2) Tax credits are fully assignable and transferable. A project
2756 owner, including, but not limited to, a nonprofit or institutional project

2757 organization, may transfer a tax credit to a pass-through partner in
2758 return for a lump sum cash payment.

2759 (f) Notwithstanding any provision of the general statutes, any
2760 subsequent successor in interest to the property that is eligible for a
2761 credit in accordance with subsection (c) of this section may claim such
2762 credit if the deed transferring the property assigns the subsequent
2763 successor such right, unless the deed specifies that the seller shall
2764 retain the right to claim such credit. Any subsequent tenant of a
2765 building for which a credit was granted to a taxpayer pursuant to this
2766 section may claim the credit for the period after the termination of the
2767 previous tenancy that such credit would have been allowable to the
2768 previous tenant.

2769 (g) The [Secretary of the Office of Policy and Management]
2770 commissioner shall establish a uniform application fee, in an amount
2771 not to exceed ten thousand dollars, which shall cover all direct costs of
2772 administering the tax credit program established pursuant to this
2773 section. Said [secretary] commissioner may hire a private consultant or
2774 outside firm to administer and review applications for said program.

2775 (h) On or before July 1, 2013, the [secretary] commissioner, in
2776 consultation with the Commissioner of Revenue Services, shall prepare
2777 and submit to the Governor and the joint standing committees of the
2778 General Assembly having cognizance of matters relating to planning
2779 and development and finance, revenue and bonding, a written report
2780 containing (1) the number of taxpayers applying for the credits
2781 provided in this section; (2) the amount of such credits granted; (3) the
2782 geographical distribution of such credits granted; and (4) any other
2783 information the [secretary] commissioner deems appropriate. A
2784 preliminary draft of the report shall be submitted on or before July 1,
2785 2012, to the Governor and the joint standing committees of the General
2786 Assembly having cognizance of matters relating to planning and
2787 development and finance, revenue and bonding. Such reports shall be
2788 submitted in accordance with the provisions of section 11-4a.

2789 [(i) Not later than January 1, 2011, the secretary, in consultation with
2790 the Commissioner of Revenue Services, shall adopt regulations, in
2791 accordance with the provisions of chapter 54, as necessary to
2792 implement the provisions of this section.]

2793 Sec. 53. (NEW) (*Effective from passage*) To the extent that any
2794 provision of title 16 or 16a of the general statutes authorizes the
2795 Department of Energy and Environmental Protection to adopt
2796 regulations, the authority to adopt such regulations shall be exercised
2797 by the Commissioner of Energy and Environmental Protection or the
2798 commissioner's designee.

2799 Sec. 54. (NEW) (*Effective from passage*) (a) As used in this section:

2800 (1) "Energy improvements" means any renovation or retrofitting of
2801 qualifying commercial real property to reduce energy consumption or
2802 installation of a renewable energy system to service qualifying
2803 commercial real property, provided such renovation, retrofit or
2804 installation is permanently fixed to such qualifying commercial real
2805 property;

2806 (2) "Qualifying commercial real property" means any commercial or
2807 industrial property, regardless of ownership, that a municipality has
2808 determined can benefit from energy improvements;

2809 (3) "Commercial or industrial property" means any real property
2810 other than a residential dwelling containing less than five dwelling
2811 units;

2812 (4) "Property owner" means an owner of qualifying commercial real
2813 property who desires to install energy improvements and provides
2814 free and willing consent to the benefit assessment against the
2815 qualifying commercial real property; and

2816 (5) "Commercial sustainable energy program" means a municipal
2817 program that authorizes a municipality to levy benefit assessments on
2818 qualifying commercial real property with property owners to finance

2819 the purchase and installation of energy improvements to qualifying
2820 commercial real property within its municipal boundaries.

2821 (b) Any municipality, that determines it is in the public interest,
2822 may establish a commercial sustainable energy program to facilitate
2823 energy improvements within such municipality. A municipality shall
2824 make such a determination after issuing public notice and providing
2825 an opportunity for public comment at a public hearing regarding the
2826 establishment of a commercial sustainable energy program. Any such
2827 municipality may establish a joint commercial sustainable energy
2828 program with any other such municipalities provided that all such
2829 municipalities meet the notice and comment requirements established
2830 in this subsection. Any commercial sustainable energy program
2831 adopted pursuant to this section may include provisions to facilitate
2832 statewide energy improvements.

2833 (c) Notwithstanding the provisions of section 7-374 of the general
2834 statutes or any other public or special act that limits or imposes
2835 conditions on municipal bond issues, any municipality that establishes
2836 a commercial sustainable energy program under this section may issue
2837 bonds, notes or other obligations, as necessary, for the purpose of
2838 financing (1) energy improvements; (2) related energy audits; (3)
2839 renewable energy system feasibility studies; and (4) verification
2840 reports of the installation and effectiveness of such improvements.
2841 Such bonds, notes or other obligations shall be issued in accordance
2842 with chapter 109 of the general statutes and may be secured by benefit
2843 assessments on the qualifying commercial real property.

2844 (d) (1) Any municipality that establishes a commercial sustainable
2845 energy program pursuant to this section may enter into an interlocal
2846 agreement with another municipality, state agency or the Clean
2847 Energy Finance and Investment Authority to (A) maximize the
2848 opportunities for accessing public and private funds and capital
2849 markets for financing, or (B) secure state or federal funds available for
2850 this purpose.

2851 (2) Any municipality that establishes a commercial sustainable
2852 energy program and issues bonds pursuant to this section may
2853 supplement the security of such bonds with any other legally available
2854 funds solely at the municipality's discretion.

2855 (3) Any municipality that establishes a commercial sustainable
2856 energy program pursuant to this section may use the services of one or
2857 more private, public or quasi-public third-party administrators to
2858 administer, provide support or obtain financing for the program.

2859 (e) Before establishing a commercial sustainable energy program
2860 under this section, the municipality shall provide notice to the electric
2861 distribution company, as defined in section 16-1 of the general statutes,
2862 as amended by this act, that services the municipality.

2863 (f) If the property owner requests financing from the municipality
2864 for energy improvements under this section, the municipality
2865 implementing the commercial sustainable energy program shall:

2866 (1) Require performance of an energy audit or renewable energy
2867 system feasibility analysis on the qualifying commercial real property
2868 that assesses the expected energy cost savings of the energy
2869 improvements over the useful life of such improvements before
2870 approving such financing;

2871 (2) Adopt standards that ensure that the energy cost savings of the
2872 energy improvements over the useful life of such improvements
2873 exceed the costs of such improvements;

2874 (3) Levy a benefit assessment on the qualifying commercial real
2875 property with the property owner in a principal amount sufficient to
2876 pay the costs of energy improvements and any associated costs the
2877 municipality determines will benefit the qualifying commercial real
2878 property provided the total amount of any benefit assessment may not
2879 exceed twenty per cent of the fair market value of the qualified real
2880 property;

2881 (4) Impose requirements and criteria to ensure that the proposed
2882 energy improvements are consistent with the purpose of the
2883 commercial sustainable energy program;

2884 (5) Impose requirements and conditions on the financing to ensure
2885 timely repayment, including, but not limited to, procedures for placing
2886 a lien on a property as security for the repayment of the benefit
2887 assessment; and

2888 (6) With respect to commercial or industrial property, require that
2889 the property owner provide written notice, not less than thirty days
2890 prior to the recording of any lien securing a benefit assessment for
2891 energy improvements for such property, to any existing mortgage
2892 holder of such property, of the property owner's intent to finance such
2893 energy improvements pursuant to this section.

2894 (g) (1) Any municipality that establishes a commercial sustainable
2895 energy program pursuant to this section may only enter into a
2896 financing agreement with the property owner of qualifying
2897 commercial real property. After such agreement is entered into, such
2898 municipality shall place a caveat on the land records indicating that a
2899 benefit assessment and lien is anticipated upon completion of energy
2900 improvements for such property.

2901 (2) The municipality shall disclose to the property owner the costs
2902 and risks associated with participating in the commercial sustainable
2903 energy program established by this section, including risks related to
2904 the failure of the property owner to pay the benefit assessment. The
2905 municipality shall disclose to the property owner the effective interest
2906 rate of the benefit assessment, including fees charged by the
2907 municipality to administer the program, and the risks associated with
2908 variable interest rate financing. The municipality shall notify the
2909 property owner that such owner may rescind any financing agreement
2910 entered into pursuant to this section not later than three business days
2911 after such agreement.

2912 (h) Any assessment levied pursuant to this section shall have no
2913 prepayment penalty. The municipality shall set a fixed or variable rate
2914 of interest for the repayment of the benefit assessment amount at the
2915 time the assessment is made. Such interest rate, as may be
2916 supplemented with state or federal funding as may become available,
2917 shall be sufficient to pay the financing costs of the commercial
2918 sustainable energy program, including delinquencies.

2919 (i) Assessments levied pursuant to this section and the interest and
2920 any penalties thereon shall constitute a lien against the qualifying
2921 commercial real property on which they are made until they are paid.
2922 Such lien shall be levied and collected in the same manner as the
2923 property taxes of the municipality on real property, including, in the
2924 event of default or delinquency, with respect to any penalties and
2925 remedies and lien priorities.

2926 (j) The area encompassing the commercial sustainable energy
2927 program in a municipality may be the entire municipal jurisdiction of
2928 the municipality or a subset of such.

2929 Sec. 55. Subdivision (2) of subsection (a) of section 7-121n of the 2012
2930 supplement to the general statutes is repealed and the following is
2931 substituted in lieu thereof (*Effective from passage*):

2932 (2) "Qualifying real property" means a single-family or multifamily
2933 residential dwelling [or a nonresidential building] containing less than
2934 five dwelling units, regardless of ownership, that a municipality has
2935 determined can benefit from energy improvements;

2936 Sec. 56. Subsection (h) of section 16-19b of the general statutes is
2937 repealed and the following is substituted in lieu thereof (*Effective July*
2938 *1, 2012*):

2939 (h) The Public Utilities Regulatory Authority shall continually
2940 monitor and oversee the application of the purchased gas adjustment
2941 clause, the energy adjustment clause, and the transmission rate

2942 adjustment clause. The authority shall hold a public hearing thereon
2943 whenever the authority deems it necessary or upon application of the
2944 Consumer Counsel, but no less frequently than once every [six] twelve
2945 months, and undertake such other proceeding thereon to determine
2946 whether charges or credits made under such clauses reflect the actual
2947 prices paid for purchased gas or energy and the actual transmission
2948 costs and are computed in accordance with the applicable clause. If the
2949 authority finds that such charges or credits do not reflect the actual
2950 prices paid for purchased gas or energy, and the actual transmission
2951 costs or are not computed in accordance with the applicable clause, it
2952 shall recompute such charges or credits and shall direct the company
2953 to take such action as may be required to insure that such charges or
2954 credits properly reflect the actual prices paid for purchased gas or
2955 energy and the actual transmission costs and are computed in
2956 accordance with the applicable clause for the applicable period.

2957 Sec. 57. Section 16-18a of the 2012 supplement to the general statutes
2958 is amended by adding subsection (c) as follows (*Effective July 1, 2012*):

2959 (NEW) (c) For any proceeding before the Federal Energy Regulatory
2960 Commission, the United States Department of Energy, the United
2961 States Nuclear Regulatory Commission, the United States Securities
2962 and Exchange Commission, the Federal Trade Commission, the United
2963 States Department of Justice or the Federal Communications
2964 Commission, the authority may retain consultants to assist its staff in
2965 such proceeding by providing expertise in areas in which staff
2966 expertise does not currently exist or to supplement staff expertise. All
2967 reasonable and proper expenses of such expert consultants shall be
2968 borne by the public service companies, certified telecommunications
2969 providers, electric suppliers or gas registrants affected by the decisions
2970 of such proceeding and shall be paid at such times and in such manner
2971 as the authority directs, provided such expenses (1) shall be
2972 apportioned in proportion to the revenues of each affected entity as
2973 reported to the authority pursuant to section 16-49 for the most recent
2974 period, and (2) shall not exceed two hundred fifty thousand dollars per

2975 proceeding, including any appeals thereof, in any calendar year unless
2976 the authority finds good cause for exceeding the limit. The authority
2977 shall recognize all such expenses as proper business expenses of the
2978 affected entities for ratemaking purposes pursuant to section 16-19e, if
2979 applicable.

2980 Sec. 58. Section 16-35 of the general statutes is amended by adding
2981 subsection (c) as follows (*Effective July 1, 2012*):

2982 (NEW) (c) Notwithstanding any provision of titles 16 and 16a,
2983 proceedings in which the Public Utilities Regulatory Authority
2984 conducts a request for proposals or any other procurement process for
2985 the purpose of acquiring electricity products or services for the benefit
2986 of ratepayers shall be uncontested.

2987 Sec. 59. Subsection (c) of section 16-262j of the general statutes is
2988 repealed and the following is substituted in lieu thereof (*Effective July*
2989 *1, 2012*):

2990 (c) Each public service company, certified telecommunications
2991 provider and electric supplier shall pay interest on any security
2992 deposit it receives from a customer at the average rate paid, as of
2993 December 30, 1992, on savings deposits by insured commercial banks
2994 as published in the Federal Reserve Board bulletin and rounded to the
2995 nearest one-tenth of one percentage point, except in no event shall the
2996 rate be less than one and one-half per cent. On and after January 1,
2997 1994, the rate for each calendar year shall be not less than the deposit
2998 index_z as defined and determined by the Banking Commissioner in
2999 subsection (d) of this section_z for that year and rounded to the nearest
3000 one-tenth of one percentage point, except in no event shall the rate be
3001 less than one and one-half per cent.

3002 Sec. 60. Subdivision (1) of subsection (c) of section 16-8a of the 2012
3003 supplement to the general statutes is repealed and the following is
3004 substituted in lieu thereof (*Effective July 1, 2012*):

3005 (c) (1) Not more than [thirty] ninety business days after receipt of a
3006 written complaint, in a form prescribed by the authority, by an
3007 employee alleging the employee's employer has retaliated against an
3008 employee in violation of subsection (a) of this section, the authority
3009 shall make a preliminary finding in accordance with this subsection.

3010 Sec. 61. Subsection (b) of section 16-19kk of the general statutes is
3011 repealed and the following is substituted in lieu thereof (*Effective July*
3012 *1, 2012*):

3013 (b) The authority shall complete, on or before December 31, 1991, an
3014 investigation into the relationship between a company's volume of
3015 sales and its earnings. The authority shall, on or before July 1, 1993,
3016 implement rate-making and other procedures and practices in order to
3017 encourage the implementation of conservation and load management
3018 programs and other programs authorized by the authority promoting
3019 the state's economic development, energy and other policy. Such
3020 procedures to implement a modification or elimination of any direct
3021 relationship between the volume of sales and the earnings of electric,
3022 gas, telephone and water companies may include the adoption of a
3023 sales adjustment clause pursuant to subsection [(i)] (j) of section 16-
3024 19b, or other adjustment clause similar thereto. The authority's
3025 investigation shall include a review of its regulations and policies to
3026 identify any existing disincentives to the development and
3027 implementation of cost effective conservation and load management
3028 programs and other programs promoting the state's economic
3029 development, energy and other policy.

3030 Sec. 62. Subdivision (4) of subsection (a) of section 16-1 of the 2012
3031 supplement to the general statutes is repealed and the following is
3032 substituted in lieu thereof (*Effective July 1, 2012*):

3033 (4) "Public service company" includes electric, electric distribution,
3034 gas, telephone, telegraph, pipeline, sewage, water and community
3035 antenna television companies and holders of a certificate of cable
3036 franchise authority, owning, leasing, maintaining, operating,

3037 managing or controlling plants or parts of plants or equipment, and all
3038 express companies having special privileges on railroads within this
3039 state, but shall not include telegraph company functions concerning
3040 intrastate money order service, towns, cities, boroughs, any municipal
3041 corporation or department thereof, whether separately incorporated or
3042 not, a private power producer, as defined in section 16-243b, or an
3043 exempt wholesale generator, as defined in [15 USC 79z-5a] the United
3044 States Code or the Code of Federal Regulations;

3045 Sec. 63. Subdivision (8) of subsection (a) of section 16-1 of the 2012
3046 supplement to the general statutes is repealed and the following is
3047 substituted in lieu thereof (*Effective July 1, 2012*):

3048 (8) "Electric company" includes, until an electric company has been
3049 unbundled in accordance with the provisions of section 16-244e, every
3050 person owning, leasing, maintaining, operating, managing or
3051 controlling poles, wires, conduits or other fixtures, along public
3052 highways or streets, for the transmission or distribution of electric
3053 current for sale for light, heat or power within this state, or engaged in
3054 generating electricity to be so transmitted or distributed for such
3055 purpose, but shall not include (A) a private power producer, as
3056 defined in section 16-243b, (B) an exempt wholesale generator, as
3057 defined in [15 USC 79z-5a] the United States Code or the Code of
3058 Federal Regulations, (C) a municipal electric utility established under
3059 chapter 101, (D) a municipal electric energy cooperative established
3060 under chapter 101a, (E) an electric cooperative established under
3061 chapter 597, or (F) any other electric utility owned, leased, maintained,
3062 operated, managed or controlled by any unit of local government
3063 under any general statute or any public or special act;

3064 Sec. 64. (NEW) (*Effective July 1, 2012*) (a) The Connecticut Clean
3065 Energy Authority is authorized from time to time to issue its
3066 negotiable bonds for any corporate purpose. In anticipation of the sale
3067 of such bonds, the authority may issue negotiable bond anticipation
3068 notes and may renew the same from time to time. Such notes shall be

3069 paid from any revenues of the authority or other moneys available for
3070 such purposes and not otherwise pledged, or from the proceeds of sale
3071 of the bonds of the authority in anticipation of which they were issued.
3072 The notes shall be issued in the same manner as the bonds. Such notes
3073 and the resolution or resolutions authorizing the same may contain
3074 any provisions, conditions or limitations which a bond resolution of
3075 the authority may contain.

3076 (b) Every issue of the bonds, notes or other obligations issued by the
3077 authority shall be special obligations of the authority payable from any
3078 revenues or moneys of the authority available for such purposes and
3079 not otherwise pledged, subject to any agreements with the holders of
3080 particular bonds, notes or other obligations pledging any particular
3081 revenues or moneys, and subject to any agreements with any
3082 individual, partnership, corporation or association or other body,
3083 public or private. Notwithstanding that such bonds, notes or other
3084 obligations may be payable from a special fund, they shall be deemed
3085 to be for all purposes negotiable instruments, subject only to the
3086 provisions of such bonds, notes or other obligations for registration.

3087 (c) The bonds may be issued as serial bonds or as term bonds, or the
3088 authority, in its discretion, may issue bonds of both types. The bonds
3089 shall be authorized by resolution of the members of the board of
3090 directors of the authority and shall bear such date or dates, mature at
3091 such time or times, not exceeding thirty years from their respective
3092 dates, bear interest at such rate or rates, be payable at such time or
3093 times, be in such denominations, be in such form, either coupon or
3094 registered, carry such registration privileges, be executed in such
3095 manner, be payable in lawful money of the United States of America at
3096 such place or places, and be subject to such terms of redemption, as
3097 such resolution or resolutions may provide. The bonds or notes may be
3098 sold at public or private sale for such price or prices as the authority
3099 shall determine. The power to fix the date of sale of bonds, to receive
3100 bids or proposals, to award and sell bonds, and to take all other
3101 necessary action to sell and deliver bonds may be delegated to the

3102 chairperson or vice-chairperson of the board, a subcommittee of the
3103 board or other officers of the authority by resolution of the board. The
3104 exercise of such delegated powers may be made subject to the
3105 approval of a majority of the members of the board which approval
3106 may be given in the manner provided in the bylaws of the authority.
3107 Pending preparation of the definitive bonds, the authority may issue
3108 interim receipts or certificates which shall be exchanged for such
3109 definitive bonds.

3110 (d) Any resolution or resolutions authorizing any bonds or any
3111 issue of bonds may contain provisions, which shall be a part of the
3112 contract with the holders of the bonds to be authorized, as to: (1)
3113 Pledging the full faith and credit of the authority, the full faith and
3114 credit of any individual, partnership, corporation or association or
3115 other body, public or private, all or any part of the revenues of a
3116 project or any revenue-producing contract or contracts made by the
3117 authority with any individual, partnership, corporation or association
3118 or other body, public or private, any federally guaranteed security and
3119 moneys received therefrom purchased with bond proceeds or any
3120 other property, revenues, funds or legally available moneys to secure
3121 the payment of the bonds or of any particular issue of bonds, subject to
3122 such agreements with bondholders as may then exist; (2) the rentals,
3123 fees and other charges to be charged, and the amounts to be raised in
3124 each year thereby, and the use and disposition of the revenues; (3) the
3125 setting aside of reserves or sinking funds, and the regulation and
3126 disposition thereof; (4) limitations on the right of the authority or its
3127 agent to restrict and regulate the use of the project; (5) the purpose and
3128 limitations to which the proceeds of sale of any issue of bonds then or
3129 thereafter to be issued may be applied, including as authorized
3130 purposes all costs and expenses necessary or incidental to the issuance
3131 of bonds, to the acquisition of or commitment to acquire any federally
3132 guaranteed security and to the issuance and obtaining of any federally
3133 insured mortgage note, and pledging such proceeds to secure the
3134 payment of the bonds or any issue of the bonds; (6) limitations on the
3135 issuance of additional bonds, the terms upon which additional bonds

3136 may be issued and secured and the refunding of outstanding bonds;
3137 (7) the procedure, if any, by which the terms of any contract with
3138 bondholders may be amended or abrogated, the amount of bonds the
3139 holders of which must consent thereto, and the manner in which such
3140 consent may be given; (8) limitations on the amount of moneys derived
3141 from the project to be expended for operating, administrative or other
3142 expenses of the authority; (9) defining the acts or omissions to act
3143 which shall constitute a default in the duties of the authority to holders
3144 of its obligations and providing the rights and remedies of such
3145 holders in the event of a default; and (10) the mortgaging of a project
3146 and the site thereof for the purpose of securing the bondholders.

3147 (e) Neither the members of the board of directors of the authority
3148 nor any person executing the bonds, notes or other obligations shall be
3149 liable personally on the bonds, notes or other obligations or be subject
3150 to any personal liability or accountability by reason of the issuance
3151 thereof.

3152 (f) The authority shall have power out of any funds available for
3153 such purposes to purchase its bonds, notes or other obligations. The
3154 authority may hold, pledge, cancel or resell such bonds, notes or other
3155 obligations, subject to and in accordance with agreements with
3156 bondholders. The authority may sell, transfer or assign any of its loan
3157 assets to a trustee or other third party for the purposes of providing
3158 security for its bonds, notes or other obligations, or for bonds, notes or
3159 other obligations issued by the trustee or other third party on its
3160 behalf.

3161 (g) The authority is further authorized and empowered to issue
3162 bonds, notes or other obligations under this section, the interest on
3163 which may be includable in the gross income of the holder or holders
3164 thereof under the Internal Revenue Code of 1986, or any subsequent
3165 corresponding internal revenue code of the United States, as from time
3166 to time amended, to the same extent and in the same manner that
3167 interest on bills, notes, bonds or other obligations of the United States

3168 is includable in the gross income of the holder or holders thereof under
3169 any such internal revenue code. Any such bonds, notes or other
3170 obligations may be issued only upon a finding by the authority that
3171 such issuance is necessary, is in the public interest, and is in
3172 furtherance of the purposes and powers of the authority. The state
3173 hereby consents to such inclusion only for the bonds, notes or other
3174 obligations of the authority so issued.

3175 (h) In the discretion of the authority, any bonds issued under the
3176 provisions of this section may be secured by a trust agreement by and
3177 between the authority and a corporate trustee or trustees, which may
3178 be any trust company or bank having the powers of a trust company
3179 within or without the state. Such trust agreement or the resolution
3180 providing for the issuance of such bonds or other instrument of the
3181 authority may secure such bonds by a pledge or assignment of any
3182 revenues to be received, any contract or proceeds of any contract, or
3183 any other property, revenues, moneys or funds available to the
3184 authority for such purpose. Any pledge made by the authority
3185 pursuant to this subsection shall be valid and binding from the time
3186 when the pledge is made. The lien of any such pledge shall be valid
3187 and binding as against all parties having claims of any kind in tort,
3188 contract or otherwise against the authority, irrespective of whether the
3189 parties have notice of the claims. Notwithstanding any provision of the
3190 Uniform Commercial Code, no instrument by which such pledge is
3191 created need be recorded or filed. Any revenues or other receipts,
3192 funds, moneys, income, contracts or property so pledged and
3193 thereafter received by the authority shall be subject immediately to the
3194 lien of the pledge without any physical delivery thereof or further act,
3195 and such lien shall have priority over all other liens. Such trust
3196 agreement or resolution may mortgage, assign or convey any real
3197 property to secure such bonds. Such trust agreement or resolution
3198 providing for the issuance of such bonds may contain such provisions
3199 for protecting and enforcing the rights and remedies of the
3200 bondholders as may be reasonable and proper and not in violation of
3201 law, including particularly such provisions as have been specifically

3202 authorized by this section to be included in any resolution or
3203 resolutions of the authority authorizing bonds thereof. Any bank or
3204 trust company incorporated under the laws of this state, which may
3205 act as depository of the proceeds of bonds or of revenues or other
3206 moneys, may furnish such indemnifying bonds or pledge such
3207 securities as may be required by the authority. Any such trust
3208 agreement or resolution may set forth the rights and remedies of the
3209 bondholders and of the trustee or trustees, and may restrict the
3210 individual right of action by bondholders. In addition to the foregoing,
3211 any such trust agreement or resolution may contain such other
3212 provisions as the authority may deem reasonable and proper for the
3213 security of the bondholders. All expenses incurred in carrying out the
3214 provisions of such trust agreement or resolution may be treated as a
3215 part of the cost of the operation of a project.

3216 (i) Bonds issued under the provisions of this section shall not be
3217 deemed to constitute a debt or liability of the state or of any political
3218 subdivision thereof other than the authority, or a pledge of the full
3219 faith and credit of the state or of any such political subdivision other
3220 than the authority, but shall be payable solely from the funds provided
3221 for such purposes by this section. All such bonds shall contain on the
3222 face thereof a statement to the effect that neither the state of
3223 Connecticut nor any political subdivision thereof, other than the
3224 authority, shall be obligated to pay the same or the interest thereon
3225 except from revenues of the project or the portion thereof for which
3226 such bonds are issued, and that neither the full faith and credit nor the
3227 taxing power of the state of Connecticut or of any political subdivision
3228 thereof, other than the authority, is pledged to the payment of the
3229 principal of or the interest on such bonds. The issuance of bonds under
3230 the provisions of this section shall not directly or indirectly or
3231 contingently obligate the state or any political subdivision thereof to
3232 levy or to pledge any form of taxation or to make any appropriation
3233 for their payment. Nothing contained in this section shall prevent or be
3234 construed to prevent the authority from pledging its full faith and
3235 credit or the full faith and credit of any individual, partnership,

3236 corporation or association or other body, public or private, to the
3237 payment of bonds or issue of bonds authorized pursuant to this
3238 section.

3239 (j) The state of Connecticut does hereby pledge to and agree with
3240 the holders of any bonds and notes issued under this section and with
3241 those parties who may enter into contracts with the authority or its
3242 successor agency pursuant to the provisions of this section that the
3243 state shall not limit or alter the rights hereby vested in the authority
3244 until such obligations, together with the interest thereon, are fully met
3245 and discharged and such contracts are fully performed on the part of
3246 the authority, provided nothing contained in this subsection shall
3247 preclude such limitation or alteration if and when adequate provision
3248 shall be made by law for the protection of the holders of such bonds
3249 and notes of the authority or those entering into such contracts with
3250 the authority. The authority is authorized to include this pledge and
3251 undertaking for the state in such bonds and notes or contracts.

3252 (k) (1) The authority is authorized to fix, revise, charge and collect
3253 rates, rents, fees and charges for the use of and for the services
3254 furnished or to be furnished by each project, and to contract with any
3255 person, partnership, association or corporation, or other body, public
3256 or private, in respect thereof. Such rates, rents, fees and charges shall
3257 be fixed and adjusted in respect of the aggregate of rates, rents, fees
3258 and charges from such project so as to provide funds sufficient with
3259 other revenues or moneys available for such purposes, if any, (A) to
3260 pay the cost of maintaining, repairing and operating the project and
3261 each and every portion thereof, to the extent that the payment of such
3262 cost has not otherwise been adequately provided for, (B) to pay the
3263 principal of and the interest on outstanding bonds of the authority
3264 issued in respect of such project as the same shall become due and
3265 payable, and (C) to create and maintain reserves required or provided
3266 for in any resolution authorizing, or trust agreement securing, such
3267 bonds of the authority. Such rates, rents, fees and charges shall not be
3268 subject to supervision or regulation by any department, commission,

3269 board, body, bureau or agency of this state other than the authority.

3270 (2) A sufficient amount of the revenues derived in respect of a
3271 project, except such part of such revenues as may be necessary to pay
3272 the cost of maintenance, repair and operation and to provide reserves
3273 and for renewals, replacements, extensions, enlargements and
3274 improvements as may be provided for in the resolution authorizing
3275 the issuance of any bonds of the authority or in the trust agreement
3276 securing the same, shall be set aside at such regular intervals as may be
3277 provided in such resolution or trust agreement in a sinking or other
3278 similar fund which is hereby pledged to, and charged with, the
3279 payment of the principal of and the interest on such bonds as the same
3280 shall become due, and the redemption price or the purchase price of
3281 bonds retired by call or purchase as therein provided. Such pledge
3282 shall be valid and binding from the time when the pledge is made. The
3283 rates, rents, fees and charges and other revenues or other moneys so
3284 pledged and thereafter received by the authority shall immediately be
3285 subject to the lien of such pledge without any physical delivery thereof
3286 or further act, and the lien of any such pledge shall be valid and
3287 binding as against all parties having claims of any kind in tort, contract
3288 or otherwise against the authority, irrespective of whether such parties
3289 have notice thereof. Notwithstanding any provision of the Connecticut
3290 Uniform Commercial Code, neither the resolution nor any trust
3291 agreement nor any other agreement nor any lease by which a pledge is
3292 created need be filed or recorded except in the records of the authority.
3293 The use and disposition of moneys to the credit of such sinking or
3294 other similar fund shall be subject to the provisions of the resolution
3295 authorizing the issuance of such bonds or of such trust agreement.
3296 Except as may otherwise be provided in such resolution or such trust
3297 agreement, such sinking or other similar fund may be a fund for all
3298 such bonds issued to finance projects for any person, partnership,
3299 association or corporation, or other body, public or private, without
3300 distinction or priority of one over another; provided the authority in
3301 any such resolution or trust agreement may provide that such sinking
3302 or other similar fund shall be the fund for a particular project for any

3303 person, partnership, association or corporation, or other body, public
3304 or private, and for the bonds issued to finance a particular project and
3305 may, additionally, permit and provide for the issuance of bonds
3306 having a subordinate lien in respect of the security authorized by this
3307 subsection to other bonds of the authority, and, in such case, the
3308 authority may create separate sinking or other similar funds in respect
3309 of such subordinate lien bonds.

3310 (l) All moneys received pursuant to the authority of this section,
3311 whether as proceeds from the sale of bonds or as revenues, shall be
3312 deemed to be trust funds to be held and applied solely as provided in
3313 this section. Any officer with whom, or any bank or trust company
3314 with which, such moneys may be deposited shall act as trustee of such
3315 moneys and shall hold and apply the same for the purposes of this
3316 section, subject to the resolution authorizing the bonds of any issue or
3317 the trust agreement securing such bonds may provide.

3318 (m) Any holder of bonds, bond anticipation notes, other notes or
3319 other obligations issued under the provisions of this section, or any of
3320 the coupons appertaining thereto, and the trustee or trustees under
3321 any trust agreement, except to the extent the rights given by this
3322 section may be restricted by any resolution authorizing the issuance of,
3323 or any such trust agreement securing, such bonds, may, either at law
3324 or in equity, by suit, action, mandamus or other proceedings, protect
3325 and enforce any and all rights under the laws of the state or granted by
3326 this section or under such resolution or trust agreement, and may
3327 enforce and compel the performance of all duties required by this
3328 section or by such resolution or trust agreement to be performed by the
3329 authority or by any officer, employee or agent thereof, including the
3330 fixing, charging and collecting of the rates, rents, fees and charges
3331 authorized by this section and required by the provisions of such
3332 resolution or trust agreement to be fixed, established and collected.

3333 (n) The authority shall have power to contract with the holders of
3334 any of its bonds or notes as to the custody, collection, securing,

3335 investment and payment of any reserve funds of the authority, or of
3336 any moneys held in trust or otherwise for the payment of bonds or
3337 notes, and to carry out such contracts. Any officer with whom, or any
3338 bank or trust company with which, such moneys shall be deposited as
3339 trustee thereof shall hold, invest, reinvest and apply such moneys for
3340 the purposes thereof, subject to such provisions as this section and the
3341 resolution authorizing the issue of the bonds or notes or the trust
3342 agreement securing such bonds or notes may provide.

3343 (o) The exercise of the powers granted by this section shall be in all
3344 respects for the benefit of the people of this state, for the increase of
3345 their commerce, welfare and prosperity, and for the improvement of
3346 their health and living conditions, and, as the exercise of such powers
3347 shall constitute the performance of an essential public function, neither
3348 the authority, any affiliate of the authority or any collection or other
3349 agent of the authority or any such affiliate shall be required to pay any
3350 taxes or assessments upon or in respect of any revenues or property
3351 received, acquired, transferred or used by the authority, any affiliate of
3352 the authority or any collection or other agent of the authority or any
3353 such affiliate or upon or in respect of the income from such revenues
3354 or property, and any bonds or notes issued under the provisions of this
3355 section, their transfer and the income therefrom, including any profit
3356 made on the sale of such bonds or notes, shall at all times be free from
3357 taxation of every kind by the state and by the municipalities and other
3358 political subdivisions in the state, except for estate and succession
3359 taxes. The interest on such bonds or notes shall be included in the
3360 computation of any excise or franchise tax.

3361 (p) (1) The authority is hereby authorized to provide for the
3362 issuance of bonds of the authority for the purpose of refunding any
3363 bonds of the authority then outstanding, including the payment of any
3364 redemption premium thereon and any interest accrued or to accrue to
3365 the earliest or subsequent date of redemption, purchase or maturity of
3366 such bonds, and, if deemed advisable by the authority, for the
3367 additional purpose of paying all or any part of the cost of constructing

3368 and acquiring additions, improvements, extensions or enlargements of
3369 a project or any portion thereof.

3370 (2) The proceeds of any such bonds issued for the purpose of
3371 refunding outstanding bonds may, in the discretion of the authority,
3372 be applied to the purchase or retirement at maturity or redemption of
3373 such outstanding bonds either on their earliest or any subsequent
3374 redemption date or upon the purchase or at the maturity thereof and
3375 may, pending such application, be placed in escrow to be applied to
3376 such purchase or retirement at maturity or redemption on such date as
3377 may be determined by the authority.

3378 (3) Any such escrowed proceeds, pending such use, may be
3379 invested and reinvested in direct obligations of, or obligations
3380 unconditionally guaranteed by, the United States of America and
3381 certificates of deposit or time deposits secured by direct obligations of,
3382 or obligations unconditionally guaranteed by, the United States of
3383 America, or obligations of a state, a territory, or a possession of the
3384 United States of America, or any political subdivision of any of the
3385 foregoing, within the meaning of Section 103(a) of the Internal
3386 Revenue Code of 1986, or any subsequent corresponding internal
3387 revenue code of the United States, as from time to time amended, the
3388 full and timely payment of the principal of and interest on which are
3389 secured by an irrevocable deposit of direct obligations of the United
3390 States of America which, if the outstanding bonds are then rated by a
3391 nationally recognized rating agency, are rated in the highest rating
3392 category by such rating agency, maturing at such time or times as shall
3393 be appropriate to assure the prompt payment, as to principal, interest
3394 and redemption premium, if any, of the outstanding bonds to be so
3395 refunded. The interest, income and profits, if any, earned or realized
3396 on any such investment may also be applied to the payment of the
3397 outstanding bonds to be so refunded. After the terms of the escrow
3398 have been fully satisfied and carried out, any balance of such proceeds
3399 and interest, income and profits, if any, earned or realized on the
3400 investments thereof may be returned to the authority for use by it in

3401 any lawful manner.

3402 (4) The portion of the proceeds of any such bonds issued for the
3403 additional purpose of paying all or any part of the cost of constructing
3404 and acquiring additions, improvements, extensions or enlargements of
3405 a project may be invested and reinvested as the provisions of this
3406 section and the resolution authorizing the issuance of such bonds or
3407 the trust agreement securing such bonds may provide. The interest,
3408 income and profits, if any, earned or realized on such investment may
3409 be applied to the payment of all or any part of such cost or may be
3410 used by the authority in any lawful manner.

3411 (5) All such bonds shall be subject to the provisions of this section in
3412 the same manner and to the same extent as other bonds issued
3413 pursuant to this section.

3414 (q) Bonds issued by the authority under the provisions of this
3415 section are hereby made securities in which all public officers and
3416 public bodies of the state and its political subdivisions, all insurance
3417 companies, state banks and trust companies, national banking
3418 associations, savings banks, savings and loan associations, investment
3419 companies, executors, administrators, trustees and other fiduciaries
3420 may properly and legally invest funds, including capital in their
3421 control or belonging to them. Such bonds are hereby made securities
3422 which may properly and legally be deposited with and received by
3423 any state or municipal officer or any agency or political subdivision of
3424 the state for any purpose for which the deposit of bonds or obligations
3425 of the state is now or may hereafter be authorized by law.

3426 (r) In conjunction with the issuance of the bonds, notes or other
3427 obligations: (1) The authority may make representations and
3428 agreements for the benefit of the holders of the bonds, notes or other
3429 obligations to make secondary market disclosures; (2) the authority
3430 may enter into interest rate swap agreements and other agreements for
3431 the purpose of moderating interest rate risk on the bonds, notes or
3432 other obligations; (3) the authority may enter into such other

3433 agreements and instruments to secure the bonds, notes or other
3434 obligations; and (4) the authority may take such other actions as
3435 necessary or appropriate for the issuance and distribution of the
3436 bonds, notes or other obligations and may make representations and
3437 agreements for the benefit of the holders of the bonds, notes or other
3438 obligations which are necessary or appropriate to ensure exclusion of
3439 the interest payable on the bonds from gross income under the Internal
3440 Revenue Code of 1986, or any subsequent corresponding internal
3441 revenue code of the United States, as from time to time amended.

3442 Sec. 65. (NEW) (*Effective July 1, 2012*) (a) The Connecticut Clean
3443 Energy Authority may issue clean energy bonds secured in whole or in
3444 part by the assets of, and assessment of charges and other receipts
3445 deposited into, the Clean Energy Fund established pursuant to section
3446 16-245n of the general statutes, as amended by this act. The clean
3447 energy bonds shall be nonrecourse to the credit or any assets of the
3448 state or the authority.

3449 (b) Except as otherwise provided in this subsection, the state of
3450 Connecticut does hereby pledge and agree with the owners of the
3451 clean energy bonds that the state shall neither limit nor alter the
3452 assessment of charges pursuant to section (b) of section 16-245n of the
3453 general statutes, as amended by this act, and all rights thereunder,
3454 until the clean energy bonds, together with the interest thereon, are
3455 fully met and discharged, provided nothing contained in this
3456 subsection shall preclude such limitation or alteration if and when
3457 adequate provision is made by law for the protection of the owners
3458 and holders of such bonds. The authority as agent for the state is
3459 authorized to include this pledge and undertaking for the state in the
3460 clean energy bonds.

3461 (c) The clean energy bonds shall not be deemed to constitute a debt
3462 or liability of the state or of any political subdivision thereof, other
3463 than the authority, shall not constitute a pledge of the full faith and
3464 credit of the state or any of its political subdivisions, other than the

3465 authority, but shall be payable solely from the funds provided under
3466 section 16-245n of the general statutes, as amended by this act, and
3467 shall not constitute an indebtedness of the state within the meaning of
3468 any constitutional or statutory debt limitation or restriction and,
3469 accordingly, shall not be subject to any statutory limitation on the
3470 indebtedness of the state and shall not be included in computing the
3471 aggregate indebtedness of the state in respect to and to the extent of
3472 any such limitation. This subsection shall in no way preclude bond
3473 guarantees or enhancements as provided in subsection (d) of section
3474 16-245n of the general statutes, as amended by this act. All clean
3475 energy bonds shall contain on the face thereof a statement to the
3476 following effect: "Neither the full faith and credit nor the taxing power
3477 of the State of Connecticut is pledged to the payment of the principal
3478 of, or interest on, this bond."

3479 (d) The exercise of the powers granted by this section and section
3480 16-245n of the general statutes, as amended by this act, shall be in all
3481 respects for the benefit of the people of this state, for the increase of
3482 their commerce, welfare and prosperity, and as the exercise of such
3483 powers shall constitute the performance of an essential public function,
3484 neither the authority, any affiliate of the authority, nor any collection
3485 or other agent of any of the foregoing shall be required to pay any
3486 taxes or assessments upon or in respect of any revenues or property
3487 received, acquired, transferred or used by the authority, any affiliate of
3488 the authority or any collection or other agent of any of the foregoing,
3489 or upon or in respect of the income from such revenues or property,
3490 and any bonds or notes issued under the provisions of this section,
3491 their transfer and the income therefrom, including any profit made on
3492 the sale of such bonds or notes, shall at all times be free from taxation
3493 of every kind by the state and by the municipalities and other political
3494 subdivisions in the state except for estate and succession taxes. The
3495 interest on such bonds and notes shall be included in the computation
3496 of any excise or franchise tax.

3497 (e) The proceeds of any clean energy bonds shall be used for the

3498 purposes of the authority in accordance with section 16-245n of the
3499 general statutes, as amended by this act.

3500 Sec. 66. (NEW) (*Effective July 1, 2012*) (a) For purposes of this section,
3501 "required minimum capital reserve" means the maximum amount
3502 permitted to be deposited in a special capital reserve fund by the
3503 Internal Revenue Code of 1986, or any subsequent corresponding
3504 internal revenue code of the United States, as amended from time to
3505 time, to permit the interest on such bonds to be excluded from gross
3506 income for federal tax purposes and secured by such special capital
3507 reserve fund.

3508 (b) In connection with the issuance of bonds or to refund bonds
3509 previously issued by the Connecticut Clean Energy Authority, or in
3510 connection with the issuance of bonds to effect a refinancing or other
3511 restructuring with respect to one or more projects, the authority may
3512 create and establish one or more reserve funds to be known as special
3513 capital reserve funds, and may pay into such special capital reserve
3514 funds (1) any moneys appropriated and made available by the state for
3515 the purposes of such special capital reserve funds, (2) any proceeds of
3516 the sale of notes or bonds, to the extent provided in the resolution of
3517 the authority authorizing the issuance thereof, and (3) any other
3518 moneys which may be made available to the authority for the purpose
3519 of such special capital reserve funds from any other source or sources.

3520 (c) The moneys held in or credited to any special capital reserve
3521 fund established under this section, except as hereinafter provided,
3522 shall be used for (1) the payment of the principal of and interest, when
3523 due, whether at maturity or by mandatory sinking fund installments,
3524 on bonds of the authority secured by such special capital reserve fund
3525 as such payments become due, or (2) the purchase of such bonds of the
3526 authority and the payment of any redemption premium required to be
3527 paid when such bonds are redeemed prior to maturity, including in
3528 any such case by way of reimbursement of a provider of bond
3529 insurance or of a credit or liquidity facility that has paid such

3530 redemption premiums. Notwithstanding the provisions of
3531 subdivisions (1) and (2) of this subsection, the authority shall have
3532 power to provide that moneys in any such special capital reserve fund
3533 shall not be withdrawn therefrom at any time in such amount as
3534 would reduce the amount of such moneys to less than the maximum
3535 amount of principal and interest becoming due by reasons of maturity
3536 or a required sinking fund installment in the then current or any
3537 succeeding calendar year on the bonds of the authority then
3538 outstanding, or less than the required minimum capital reserve, except
3539 for the purpose of paying such principal of, redemption premium and
3540 interest on such bonds of the authority secured by such special capital
3541 reserve becoming due and for the payment of which other moneys of
3542 the authority are not available. The authority may provide that it shall
3543 not issue bonds secured by a special capital reserve fund at any time if
3544 the required minimum capital reserve on the bonds outstanding and
3545 the bonds then to be issued and secured by the same special capital
3546 reserve fund at the time of issuance exceeds the moneys in the special
3547 capital reserve fund, unless the authority, at the time of the issuance of
3548 such bonds, deposits in such special capital reserve fund from the
3549 proceeds of the bonds so to be issued, or from other sources, an
3550 amount which, together with the amount then in such special capital
3551 reserve fund, will be not less than the required minimum capital
3552 reserve.

3553 (d) On or before December first, annually, there is deemed to be
3554 appropriated from the General Fund such sums, if any, as shall be
3555 certified by the chairperson or vice-chairperson of the authority to the
3556 Secretary of the Office of Policy and Management and the State
3557 Treasurer, as necessary to restore each such special capital reserve
3558 fund to the amount equal to the required minimum capital reserve of
3559 such fund, and such amounts shall be allotted and paid to the
3560 authority. For the purpose of evaluation of any such special capital
3561 reserve fund, obligations acquired as an investment for any such
3562 special capital reserve fund shall be valued at market. Nothing
3563 contained in this section shall preclude the authority from establishing

3564 and creating other debt service reserve funds in connection with the
3565 issuance of bonds or notes of the authority which are not special
3566 capital reserve funds. Subject to any agreement or agreements with
3567 holders of outstanding notes and bonds of the authority, any amount
3568 or amounts allotted and paid to the authority pursuant to this
3569 subsection shall be repaid to the state from moneys of the authority at
3570 such time as such moneys are not required for any other of the
3571 authority's corporate purposes, and in any event shall be repaid to the
3572 state on the date one year after all bonds and notes of the authority
3573 theretofore issued on the date or dates such amount or amounts are
3574 allotted and paid to the authority or thereafter issued, together with
3575 interest on such bonds and notes, with interest on any unpaid
3576 installments of interest and all costs and expenses in connection with
3577 any action or proceeding by or on behalf of the holders thereof, are
3578 fully met and discharged.

3579 (e) No bonds secured by a special capital reserve fund shall be
3580 issued to pay project costs unless the authority is of the opinion and
3581 determines that the revenues from the project shall be sufficient to (1)
3582 pay the principal of and interest on the bonds issued to finance the
3583 project, (2) establish, increase and maintain any reserves deemed by
3584 the authority to be advisable to secure the payment of the principal of
3585 and interest on such bonds, (3) pay the cost of maintaining the project
3586 in good repair and keeping it properly insured, and (4) pay such other
3587 costs of the project as may be required.

3588 (f) Notwithstanding the provisions of this section, no bonds secured
3589 by a special capital reserve fund shall be issued by the authority until
3590 and unless such issuance has been approved by the Secretary of the
3591 Office of Policy and Management or his or her deputy. Any such
3592 approval by the secretary pursuant to this subsection shall be in
3593 addition to (1) the otherwise required opinion of sufficiency by the
3594 authority set forth in subsection (c) of this section, and (2) the approval
3595 of the State Treasurer and the documentation by the authority
3596 otherwise required under subsection (a) of section 1-124 of the general

3597 statutes, as amended by this act. Such approval may provide for the
3598 waiver or modification of such other requirements of this section as the
3599 authority, the State Treasurer and the secretary determine to be
3600 necessary or appropriate in order to effectuate such issuance, subject to
3601 all applicable tax covenants of the authority and the state.

3602 (g) Notwithstanding any other provision contained in this section,
3603 the aggregate amount of bonds secured by such special capital reserve
3604 fund authorized to be created and established by this section shall not
3605 exceed one hundred million dollars.

3606 Sec. 67. Subdivision (2) of subsection (a) of section 32-141 of the
3607 general statutes is repealed and the following is substituted in lieu
3608 thereof (*Effective July 1, 2012*):

3609 (2) The total amount of private activity bonds which may be issued
3610 by state issuers in the calendar year commencing January 1, 2007, and
3611 each calendar year thereafter, under the state ceiling in effect for each
3612 such year, shall be allocated as follows: (A) Sixty per cent to the
3613 Connecticut Housing Finance Authority; (B) twelve and one-half per
3614 cent to the Connecticut Development Authority; and (C) twenty-seven
3615 and one-half per cent to municipalities and political subdivisions,
3616 departments, agencies, authorities and other bodies of municipalities,
3617 [and] the Connecticut Higher Education Supplemental Loan Authority
3618 and the Connecticut Clean Energy Authority, then to the Connecticut
3619 Student Loan Foundation and then for contingencies. At least ten per
3620 cent of bonds allocated under subparagraph (A) of this subdivision
3621 shall be used for multifamily residential housing in the calendar year
3622 commencing January 1, 2008. In each calendar year commencing
3623 January 1, 2009, fifteen per cent of such bonds shall be used for
3624 multifamily residential housing.

3625 Sec. 68. Subsection (l) of section 1-79 of the general statutes is
3626 repealed and the following is substituted in lieu thereof (*Effective from*
3627 *passage*):

3628 (l) "Quasi-public agency" means the Connecticut Development
3629 Authority, Connecticut Innovations, Incorporated, Connecticut Health
3630 and Education Facilities Authority, Connecticut Higher Education
3631 Supplemental Loan Authority, Connecticut Housing Finance
3632 Authority, Connecticut Housing Authority, Connecticut Resources
3633 Recovery Authority, Lower Fairfield County Convention Center
3634 Authority, Capital City Economic Development Authority,
3635 Connecticut Lottery Corporation, Connecticut Airport Authority,
3636 Health Information Technology Exchange of Connecticut, [and]
3637 Connecticut Health Insurance Exchange and Connecticut Clean Energy
3638 Authority.

3639 Sec. 69. Subdivision (1) of section 1-120 of the general statutes is
3640 repealed and the following is substituted in lieu thereof (*Effective from*
3641 *passage*):

3642 (1) "Quasi-public agency" means the Connecticut Development
3643 Authority, Connecticut Innovations, Incorporated, Connecticut Health
3644 and Educational Facilities Authority, Connecticut Higher Education
3645 Supplemental Loan Authority, Connecticut Housing Finance
3646 Authority, Connecticut Housing Authority, Connecticut Resources
3647 Recovery Authority, Capital City Economic Development Authority,
3648 Connecticut Lottery Corporation, Connecticut Airport Authority,
3649 Health Information Technology Exchange of Connecticut, [and]
3650 Connecticut Health Insurance Exchange and Connecticut Clean Energy
3651 Authority.

3652 Sec. 70. Section 1-124 of the general statutes is repealed and the
3653 following is substituted in lieu thereof (*Effective from passage*):

3654 (a) The Connecticut Development Authority, the Connecticut
3655 Health and Educational Facilities Authority, the Connecticut Higher
3656 Education Supplemental Loan Authority, the Connecticut Housing
3657 Finance Authority, the Connecticut Housing Authority, the
3658 Connecticut Resources Recovery Authority, the Health Information
3659 Technology Exchange of Connecticut, the Connecticut Airport

3660 Authority, the Capital City Economic Development Authority, [and]
3661 the Connecticut Health Insurance Exchange and the Connecticut Clean
3662 Energy Authority shall not borrow any money or issue any bonds or
3663 notes which are guaranteed by the state of Connecticut or for which
3664 there is a capital reserve fund of any kind which is in any way
3665 contributed to or guaranteed by the state of Connecticut until and
3666 unless such borrowing or issuance is approved by the State Treasurer
3667 or the Deputy State Treasurer appointed pursuant to section 3-12. The
3668 approval of the State Treasurer or said deputy shall be based on
3669 documentation provided by the authority that it has sufficient
3670 revenues to (1) pay the principal of and interest on the bonds and notes
3671 issued, (2) establish, increase and maintain any reserves deemed by the
3672 authority to be advisable to secure the payment of the principal of and
3673 interest on such bonds and notes, (3) pay the cost of maintaining,
3674 servicing and properly insuring the purpose for which the proceeds of
3675 the bonds and notes have been issued, if applicable, and (4) pay such
3676 other costs as may be required.

3677 (b) To the extent the Connecticut Development Authority,
3678 Connecticut Innovations, Incorporated, Connecticut Higher Education
3679 Supplemental Loan Authority, Connecticut Housing Finance
3680 Authority, Connecticut Housing Authority, Connecticut Resources
3681 Recovery Authority, Connecticut Health and Educational Facilities
3682 Authority, the Health Information Technology Exchange of
3683 Connecticut, the Connecticut Airport Authority, the Capital City
3684 Economic Development Authority, [or] the Connecticut Health
3685 Insurance Exchange or the Connecticut Clean Energy Authority is
3686 permitted by statute and determines to exercise any power to
3687 moderate interest rate fluctuations or enter into any investment or
3688 program of investment or contract respecting interest rates, currency,
3689 cash flow or other similar agreement, including, but not limited to,
3690 interest rate or currency swap agreements, the effect of which is to
3691 subject a capital reserve fund which is in any way contributed to or
3692 guaranteed by the state of Connecticut, to potential liability, such
3693 determination shall not be effective until and unless the State

3694 Treasurer or his or her deputy appointed pursuant to section 3-12 has
3695 approved such agreement or agreements. The approval of the State
3696 Treasurer or his or her deputy shall be based on documentation
3697 provided by the authority that it has sufficient revenues to meet the
3698 financial obligations associated with the agreement or agreements.

3699 Sec. 71. Section 1-125 of the general statutes is repealed and the
3700 following is substituted in lieu thereof (*Effective from passage*):

3701 The directors, officers and employees of the Connecticut
3702 Development Authority, Connecticut Innovations, Incorporated,
3703 Connecticut Higher Education Supplemental Loan Authority,
3704 Connecticut Housing Finance Authority, Connecticut Housing
3705 Authority, Connecticut Resources Recovery Authority, including ad
3706 hoc members of the Connecticut Resources Recovery Authority,
3707 Connecticut Health and Educational Facilities Authority, Capital City
3708 Economic Development Authority, the Health Information Technology
3709 Exchange of Connecticut, Connecticut Airport Authority, Connecticut
3710 Lottery Corporation, [and] Connecticut Health Insurance Exchange
3711 and the Connecticut Clean Energy Authority and any person executing
3712 the bonds or notes of the agency shall not be liable personally on such
3713 bonds or notes or be subject to any personal liability or accountability
3714 by reason of the issuance thereof, nor shall any director or employee of
3715 the agency, including ad hoc members of the Connecticut Resources
3716 Recovery Authority, be personally liable for damage or injury, not
3717 wanton, reckless, wilful or malicious, caused in the performance of his
3718 or her duties and within the scope of his or her employment or
3719 appointment as such director, officer or employee, including ad hoc
3720 members of the Connecticut Resources Recovery Authority. The
3721 agency shall protect, save harmless and indemnify its directors,
3722 officers or employees, including ad hoc members of the Connecticut
3723 Resources Recovery Authority, from financial loss and expense,
3724 including legal fees and costs, if any, arising out of any claim, demand,
3725 suit or judgment by reason of alleged negligence or alleged
3726 deprivation of any person's civil rights or any other act or omission

3727 resulting in damage or injury, if the director, officer or employee,
3728 including ad hoc members of the Connecticut Resources Recovery
3729 Authority, is found to have been acting in the discharge of his or her
3730 duties or within the scope of his or her employment and such act or
3731 omission is found not to have been wanton, reckless, wilful or
3732 malicious.

3733 Sec. 72. Subsection (b) of section 16a-40d of the 2012 supplement to
3734 the general statutes is repealed and the following is substituted in lieu
3735 thereof (*Effective from passage*):

3736 (b) As of July 1, 2010, proceeds of the sale of said bonds which have
3737 been authorized as provided in subsection (a) of this section, but have
3738 not been allocated by the State Bond Commission, and the additional
3739 amount of five million dollars authorized by this section on July 1,
3740 2010, shall be deposited in the Green Connecticut Loan Guaranty Fund
3741 established pursuant to section 16a-40e, and shall be used by the
3742 Connecticut Clean Energy [Finance and Investment] Authority for
3743 purposes of the Green Connecticut Loan Guaranty Fund program
3744 established pursuant to section 16a-40f, provided not more than
3745 eighteen million dollars shall be deposited in the Green Connecticut
3746 Loan Guaranty Fund. Such additional amounts may be deposited in
3747 the Green Connecticut Loan Guaranty Fund as the State Bond
3748 Commission may, from time to time, authorize.

3749 Sec. 73. Section 16a-40e of the 2012 supplement to the general
3750 statutes is repealed and the following is substituted in lieu thereof
3751 (*Effective from passage*):

3752 The Connecticut Clean Energy [Finance and Investment] Authority
3753 shall establish a "Green Connecticut Loan Guaranty Fund". Such fund
3754 shall be used for the purposes of guaranteeing loans authorized under
3755 section 16a-40f, and may be used for expenses incurred by said
3756 authority in the implementation of the program under said section.

3757 Sec. 74. Subsection (c) of section 16a-40l of the 2012 supplement to

3758 the general statutes is repealed and the following is substituted in lieu
3759 thereof (*Effective from passage*):

3760 (c) "Eligible entity" means (1) any residential, commercial,
3761 institutional or industrial customer of an electric distribution company
3762 or natural gas company, as defined in section 16-1, as amended by this
3763 act, who employs or installs an eligible in-state energy savings
3764 technology, (2) an energy service company certified as a Connecticut
3765 electric efficiency partner by the Department of Energy and
3766 Environmental Protection, or (3) an installer certified by the
3767 Connecticut Clean Energy [Finance and Investment] Authority.

3768 Sec. 75. Subdivision (5) of subsection (a) of section 16a-40f of the
3769 2012 supplement to the general statutes is repealed and the following
3770 is substituted in lieu thereof (*Effective from passage*):

3771 (5) "Authority" means the Connecticut Clean Energy [Finance and
3772 Investment] Authority.

3773 Sec. 76. Subsection (d) of section 16a-40f of the 2012 supplement to
3774 the general statutes is repealed and the following is substituted in lieu
3775 thereof (*Effective from passage*):

3776 (d) In consultation with the Energy Conservation Management
3777 Board and the Connecticut Health and Educational Facilities
3778 Authority, the Connecticut Clean Energy [Finance and Investment]
3779 Authority shall identify types of projects that qualify as eligible energy
3780 conservation projects, including, but not limited to, the purchase and
3781 installation of insulation, alternative energy devices, energy
3782 conservation materials, replacement furnaces and boilers, and
3783 technologically advanced energy-conserving equipment. The
3784 authority, in consultation with said entities, shall establish priorities
3785 for financing eligible energy conservation projects based on need and
3786 quality determinants. The authority shall adopt procedures, in
3787 accordance with the provisions of section 1-121, to implement the
3788 provisions of this section.

3789 Sec. 77. (*Effective from passage*) The Public Utilities Regulatory
3790 Authority shall initiate a docket to identify measures to promote water
3791 conservation in the state. On or before January 1, 2013, the authority
3792 shall submit a report, in accordance with the provisions of section 11-
3793 4a of the general statutes, to the joint standing committee of the
3794 General Assembly having cognizance of matters relating to energy, of
3795 the findings of such docket, including any recommended legislative
3796 changes necessary to implement such measures.

3797 Sec. 78. Subdivision (41) of subsection (a) of section 16-1 of the 2012
3798 supplement to the general statutes is repealed and the following is
3799 substituted in lieu thereof (*Effective from passage*):

3800 (41) "Federally mandated congestion charges" means any cost
3801 approved by the Federal Energy Regulatory Commission as part of
3802 New England Standard Market Design including, but not limited to,
3803 locational marginal pricing, locational installed capacity payments, any
3804 cost approved by the Public Utilities Regulatory Authority to reduce
3805 federally mandated congestion charges in accordance with section 7-
3806 233y, this section, sections 16-19ss, [16-32f,] 16-50i, 16-50k, 16-50x, 16-
3807 243i to 16-243q, inclusive, 16-244c, as amended by this act, 16-244e, 16-
3808 245m, as amended by this act, 16-245n, as amended by this act, and 16-
3809 245z, and section 21 of public act 05-1 of the June special session and
3810 reliability must run contracts;

3811 Sec. 79. Subsection (k) of section 16-243m of the general statutes is
3812 repealed and the following is substituted in lieu thereof (*Effective from*
3813 *passage*):

3814 (k) The authority may order an electric distribution company to
3815 submit a proposal pursuant to the provisions of this section and may
3816 approve such a proposal under this section. Nothing in sections 16-1,
3817 as amended by this act, 16-19ss, [16-32f,] 16-50i, 16-50k, 16-50x, 16-243i
3818 to 16-243q, inclusive, 16-244c, as amended by this act, 16-244e, 16-245d,
3819 16-245m, as amended by this act, 16-245n, as amended by this act, and
3820 16-245z and section 21 of public act 05-1 of the June special session

3821 shall limit the authority's ability to conduct requests for proposals, in
3822 addition to that in subsection (c) of this section, to reduce federally
3823 mandated congestion charges and to approve such proposals or
3824 otherwise to meet its responsibility under this title.

3825 Sec. 80. Section 16-243r of the general statutes is repealed and the
3826 following is substituted in lieu thereof (*Effective from passage*):

3827 The provisions of sections 7-233y, 16-1, as amended by this act, 16-
3828 19ss, [16-32f,] 16-50i, 16-50k, 16-50x, 16-243i to 16-243q, inclusive, 16-
3829 244c, as amended by this act, 16-244e, 16-245d, 16-245m, as amended
3830 by this act, 16-245n, as amended by this act, 16-245z and 16-262i and
3831 section 21 of public act 05-1 of the June special session apply to new
3832 customer-side distributed resources and grid-side distributed
3833 resources developed in this state that add electric capacity on and after
3834 January 1, 2006, and shall also apply to customer-side distributed
3835 resources and grid-side distributed resources developed in this state
3836 before January 1, 2007, that (1) have undergone upgrades that increase
3837 the resource's thermal efficiency operating level by no fewer than ten
3838 percentage points or, for resources that have a thermal efficiency level
3839 of at least seventy per cent, have undergone upgrades that increase the
3840 resource's turbine heat rate by no fewer than five percentage points
3841 and increase the electrical output of the resource by no fewer than ten
3842 percentage points, (2) operate at a thermal efficiency level of at least
3843 fifty per cent, and (3) add electric capacity in this state on or after
3844 January 1, 2007, provided such measure is in accordance with the
3845 provisions of said sections 7-233y, 16-1, as amended by this act, 16-
3846 19ss, [16-32f,] 16-50i, 16-50k, 16-50x, 16-243i to 16-243q, inclusive, 16-
3847 244c, as amended by this act, 16-244e, 16-245d, 16-245m, as amended
3848 by this act, 16-245n, as amended by this act, 16-245z and 16-262i and
3849 section 21 of public act 05-1 of the June special session. On or before
3850 January 1, 2009, the Public Utilities Regulatory Authority, in
3851 consultation with the Office of Consumer Counsel, shall report to the
3852 joint standing committee of the General Assembly having cognizance
3853 of matters relating to energy regarding the cost-effectiveness of

3854 programs pursuant to this section.

3855 Sec. 81. Subsection (e) of section 22a-2d of the 2012 supplement to
3856 the general statutes is repealed and the following is substituted in lieu
3857 thereof (*Effective from passage*):

3858 (e) Wherever the words "Department of Public Utility Control" are
3859 used or referred to in the following sections of the general statutes, the
3860 words "Public Utilities Regulatory Authority" shall be substituted in
3861 lieu thereof: 1-84, 1-84b, 2-20a, 2-71p, 4-38c, 4a-57, 4a-74, 4d-2, 4d-80, 7-
3862 223, 7-233t, 7-233ii, 8-387, 12-81q, 12-94d, 12-264, 12-265, 12-408b, 12-
3863 412, 12-491, 13a-82, 13a-126a, 13b-10a, 13b-43, 13b-44, 13b-387a, 15-96,
3864 16-1, as amended by this act, 16-2, as amended by this act, 16-2a, 16-6,
3865 16-6a, 16-6b, as amended by this act, 16-7, as amended by this act, 16-8,
3866 as amended by this act, 16-8b, 16-8c, 16-8d, 16-9, 16-9a, 16-10, 16-10a,
3867 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-17, 16-18, 16-19, 16-19a, 16-
3868 19b, as amended by this act, 16-19d, 16-19f, 16-19k, 16-19n, 16-19o, 16-
3869 19u, 16-19w, 16-19x, 16-19z, 16-19aa, 16-19bb, 16-19cc, 16-19dd, 16-
3870 19ee, 16-19ff, 16-19gg, 16-19jj, 16-19kk, as amended by this act, 16-
3871 19mm, 16-19nn, 16-19oo, 16-19pp, 16-19qq, 16-19tt, 16-19uu, 16-19vv,
3872 16-20, 16-21, 16-23, 16-24, 16-25, 16-25a, 16-26, 16-27, 16-28, 16-29, 16-32,
3873 16-32a, 16-32b, 16-32c, 16-32e, [16-32f,] 16-32g, 16-33, 16-35, as
3874 amended by this act, 16-41, 16-42, 16-43, 16-43a, 16-43d, 16-44, 16-44a,
3875 16-45, 16-46, 16-47, 16-47a, 16-48, 16-49e, 16-50c, 16-50d, 16-50f, 16-50k,
3876 16-50aa, 16-216, 16-227, 16-231, 16-233, 16-234, 16-235, 16-238, 16-243,
3877 16-243a, 16-243b, 16-243c, 16-243f, 16-243i, 16-243j, 16-243k, 16-243m,
3878 16-243n, 16-243p, 16-243q, 16-243r, 16-243s, 16-243t, 16-243u, 16-243v,
3879 16-243w, 16-244a, 16-244b, 16-244c, as amended by this act, 16-244d,
3880 16-244e, 16-244f, 16-244g, 16-244h, 16-244i, 16-244k, 16-244l, 16-245, as
3881 amended by this act, 16-245a, 16-245b, 16-245c, 16-245e, 16-245g, 16-
3882 245l, 16-245p, 16-245q, 16-245s, 16-245t, 16-245u, 16-245v, 16-245w, 16-
3883 245x, 16-245aa, 16-246, 16-246e, 16-246g, 16-247c, 16-247j, 16-247l, 16-
3884 247m, 16-247o, 16-247p, 16-247t, 16-249, 16-250, 16-250a, 16-250b, 16-
3885 256b, 16-256c, 16-256h, 16-256k, 16-258a, 16-258b, 16-258c, 16-259, 16-
3886 261, 16-262a, 16-262c, 16-262d, 16-262i, 16-262j, as amended by this act,

3887 16-262k, 16-262l, 16-262m, 16-262n, 16-262o, 16-262q, 16-262r, 16-262s,
 3888 16-262v, 16-262w, 16-262x, 16-265, 16-269, 16-271, 16-272, 16-273, 16-
 3889 274, 16-275, 16-276, 16-278, 16-280a, 16-280b, 16-280d, 16-280e, 16-280f,
 3890 16-280h, 16-281a, 16-331, 16-331c, 16-331e, 16-331f, 16-331g, 16-331h, 16-
 3891 331i, 16-331j, 16-331k, 16-331n, 16-331o, 16-331p, 16-331q, 16-331r, 16-
 3892 331t, 16-331u, 16-331v, 16-331y, 16-331z, 16-331aa, 16-331cc, 16-331dd,
 3893 16-331ff, 16-331gg, 16-332, 16-333, 16-333a, 16-333b, 16-333e, 16-333f,
 3894 16-333g, 16-333h, 16-333i, 16-333l, 16-333n, 16-333o, 16-333p, 16-347, 16-
 3895 348, 16-356, 16-357, 16-358, 16-359, 16a-3b, as amended by this act, 16a-
 3896 3c, as amended by this act, 16a-7b, as amended by this act, 16a-7c, 16a-
 3897 13b, 16a-37c, subsection (b) of section 16a-38n, 16a-38o, 16a-40b, 16a-
 3898 40k, 16a-41, 16a-46, 16a-46b, 16a-46c, 16a-47a, 16a-47b, 16a-47c, 16a-
 3899 47d, 16a-47e, 16a-48, as amended by this act, 16a-49, 16a-103, 20-298,
 3900 20-309, 20-340, 20-340a, 20-341k, 20-341z, 20-357, 20-541, 22a-174l, 22a-
 3901 256dd, 22a-266, 22a-358, 22a-475, 22a-478, 22a-479, 23-8b, 23-65, 25-33a,
 3902 25-33h, 25-33k, 25-33l, 25-33p, 25-37d, 25-37e, 26-141b, 28-1b, 28-24, 28-
 3903 26, 28-27, 28-31, 29-282, 29-415, 32-80a, 32-222, 33-219, 33-221, 33-241,
 3904 33-951, 42-287, 43-44, 49-4c and 52-259a.

3905 Sec. 82. Sections 16-2c, 16-32f and 16a-41i of the 2012 supplement to
 3906 the general statutes are repealed. (*Effective July 1, 2012*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-1(a)(52)
Sec. 2	<i>from passage</i>	16-2
Sec. 3	<i>from passage</i>	16-3
Sec. 4	<i>from passage</i>	16-6b
Sec. 5	<i>from passage</i>	16-7
Sec. 6	<i>from passage</i>	16-8
Sec. 7	<i>from passage</i>	16-19e(b)
Sec. 8	<i>from passage</i>	16-19e(d)
Sec. 9	<i>from passage</i>	16-49(a)
Sec. 10	<i>from passage</i>	16-245m(d)
Sec. 11	<i>from passage</i>	16-245m(f)
Sec. 12	<i>from passage</i>	16-245y(a)

Sec. 13	<i>from passage</i>	16-245y(c)
Sec. 14	<i>from passage</i>	16a-3(b)
Sec. 15	<i>from passage</i>	16a-3b
Sec. 16	<i>from passage</i>	16a-3c(a)
Sec. 17	<i>from passage</i>	16a-7b(b)
Sec. 18	<i>from passage</i>	16a-3d
Sec. 19	<i>from passage</i>	16a-3a
Sec. 20	<i>from passage</i>	16-244c(c)(5)
Sec. 21	<i>from passage</i>	16-244c(j)(2)
Sec. 22	<i>from passage</i>	16-244m(a)
Sec. 23	<i>from passage</i>	16-244m(d)
Sec. 24	<i>from passage</i>	16-244n
Sec. 25	<i>from passage</i>	16-245n
Sec. 26	<i>from passage</i>	7-233z
Sec. 27	<i>from passage</i>	16-245ee
Sec. 28	<i>from passage</i>	16a-48(d)
Sec. 29	<i>from passage</i>	16a-48(e)
Sec. 30	<i>from passage</i>	16a-48(f)
Sec. 31	<i>from passage</i>	16a-48(g)
Sec. 32	<i>from passage</i>	16-245(g)
Sec. 33	<i>from passage</i>	PA 11-80, Sec. 103(a)
Sec. 34	<i>from passage</i>	16-245ff
Sec. 35	<i>from passage</i>	16-244r(b)
Sec. 36	<i>from passage</i>	16-244s
Sec. 37	<i>from passage</i>	16-244t(a)
Sec. 38	<i>from passage</i>	16-244t(b)
Sec. 39	<i>from passage</i>	16-245hh
Sec. 40	<i>from passage</i>	16-24a
Sec. 41	<i>from passage</i>	16-245o
Sec. 42	<i>from passage</i>	16-245d(a)
Sec. 43	<i>from passage</i>	16a-40l(a)
Sec. 44	<i>from passage</i>	16a-40l(f)
Sec. 45	<i>from passage</i>	16a-37u
Sec. 46	<i>from passage</i>	16-244u
Sec. 47	<i>from passage</i>	16a-40f(f)(3)
Sec. 48	<i>from passage</i>	16-244v(a)
Sec. 49	<i>from passage</i>	16a-46h
Sec. 50	<i>from passage</i>	PA 11-80, Sec. 133
Sec. 51	<i>from passage</i>	16a-46i
Sec. 52	<i>from passage</i>	12-217mm

Sec. 53	<i>from passage</i>	New section
Sec. 54	<i>from passage</i>	New section
Sec. 55	<i>from passage</i>	7-121n(a)(2)
Sec. 56	<i>July 1, 2012</i>	16-19b(h)
Sec. 57	<i>July 1, 2012</i>	16-18a
Sec. 58	<i>July 1, 2012</i>	16-35
Sec. 59	<i>July 1, 2012</i>	16-262j(c)
Sec. 60	<i>July 1, 2012</i>	16-8a(c)(1)
Sec. 61	<i>July 1, 2012</i>	16-19kk(b)
Sec. 62	<i>July 1, 2012</i>	16-1(a)(4)
Sec. 63	<i>July 1, 2012</i>	16-1(a)(8)
Sec. 64	<i>July 1, 2012</i>	New section
Sec. 65	<i>July 1, 2012</i>	New section
Sec. 66	<i>July 1, 2012</i>	New section
Sec. 67	<i>July 1, 2012</i>	32-141(a)(2)
Sec. 68	<i>from passage</i>	1-79(l)
Sec. 69	<i>from passage</i>	1-120(1)
Sec. 70	<i>from passage</i>	1-124
Sec. 71	<i>from passage</i>	1-125
Sec. 72	<i>from passage</i>	16a-40d(b)
Sec. 73	<i>from passage</i>	16a-40e
Sec. 74	<i>from passage</i>	16a-40l(c)
Sec. 75	<i>from passage</i>	16a-40f(a)(5)
Sec. 76	<i>from passage</i>	16a-40f(d)
Sec. 77	<i>from passage</i>	New section
Sec. 78	<i>from passage</i>	16-1(a)(41)
Sec. 79	<i>from passage</i>	16-243m(k)
Sec. 80	<i>from passage</i>	16-243r
Sec. 81	<i>from passage</i>	22a-2d(e)
Sec. 82	<i>July 1, 2012</i>	Repealer section