



General Assembly

February Session, 2012

Governor's Bill No. 23

LCO No. 510

*00510 _____ *

Referred to Committee on Energy and Technology

Introduced by:

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

REP. DONOVAN, 84th Dist.

REP. SHARKEY, 88th Dist.

AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE.

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

1 Section 1. Subsection (b) of section 28-5 of the 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2012*):

4 (b) The commissioner shall direct the preparation of a
5 comprehensive plan and program for the civil preparedness of the
6 state and integrate and coordinate that plan and program to the fullest
7 extent possible with the civil preparedness plans of the federal
8 government and of other states. When the plan and program has been
9 prepared, the commissioner shall present it to the Governor for his or
10 her approval. When the Governor approves the plan, all government
11 agencies, state or local, [and] all civil preparedness forces in the state
12 and all public service companies, as defined in section 16-1, shall carry

13 out the duties and functions assigned by the plan and program as
14 approved. The plan and program may, from time to time, be amended
15 or modified in like manner. The commissioner shall coordinate the
16 civil preparedness activities of the towns and cities of the state to the
17 end that they shall be fully integrated with the state civil preparedness
18 plan and program.

19 Sec. 2. Subsection (e) of section 28-5 of the 2012 supplement to the
20 general statutes is repealed and the following is substituted in lieu
21 thereof (*Effective July 1, 2012*):

22 (e) The commissioner shall utilize the personnel, services,
23 equipment, supplies and facilities of existing departments, offices and
24 agencies of the state to the maximum extent possible. The head of each
25 such department, office or agency, in cooperation with and under the
26 direction of the commissioner, shall be responsible for the planning
27 and programming of such activities in the civil preparedness programs
28 as will involve the utilization of the facilities of his or her department,
29 office, institution or agency and shall implement and carry out such
30 activities whenever necessary for the welfare and safety of the state,
31 including participation in planning, training and exercises, as directed
32 by the commissioner.

33 Sec. 3. (NEW) (*Effective from passage*) (a) As used in this section,
34 "utility" means any electric company, electric distribution company,
35 participating municipal electric utility, gas company or water
36 company, as those terms are defined in section 16-1 of the general
37 statutes.

38 (b) The Public Utilities Regulatory Authority shall establish
39 minimum standards of performance for utilities in emergency
40 preparation and restoration of service to customers in an emergency.
41 The standards established by the authority shall include, but not be
42 limited to, provisions for:

43 (1) Minimum staffing and equipment levels for each utility based on

44 the number of customers served by such utility;

45 (2) Targets for recovery and restoration of service in emergencies
46 based upon the classification levels of such emergencies;

47 (3) A communication and coordination plan between each utility
48 and the state emergency operations center, regulatory agencies and
49 municipal officials;

50 (4) A communication plan between each utility and its customers,
51 including, but not limited to, communication during other than normal
52 business hours;

53 (5) A plan for deploying utility crews, mutual aid crews and private
54 contractors in an emergency;

55 (6) Safety standards for employees of each utility, mutual aid crews
56 and private contractors; and

57 (7) Filing mutual aid agreements by utilities.

58 (c) Any mutual aid agreement filed with the authority pursuant to
59 this section shall not be considered a public record or file subject to
60 disclosure under the Freedom of Information Act, as defined in section
61 1-200 of the general statutes.

62 (d) Not later than August 1, 2012, and annually thereafter not later
63 than April fifteenth, each utility shall provide an emergency response
64 plan to the authority. Such plan shall include information and analysis
65 concerning such utility's ability during the preceding year to meet the
66 emergency preparedness and response standards established by the
67 authority pursuant to this section.

68 (e) The authority may, upon its own motion, investigate a utility's
69 compliance with any of the emergency preparedness and response
70 standards established by the authority pursuant to this section. Any
71 such investigation shall be a contested case, as defined in section 4-166

72 of the general statutes.

73 (f) The authority, upon a finding that a utility failed to comply with
74 any of the emergency preparedness and response standards
75 established pursuant to this section, shall have the authority to make
76 orders to enforce such standards, including, but not limited to, cease
77 and desist orders and may levy civil penalties against such utility,
78 pursuant to section 16-41 of the general statutes, not to exceed twenty-
79 five million dollars.

80 (g) Notwithstanding any provision of the general statutes, the
81 authority shall institute a program to rebate to the customers of any
82 utility from which the authority collects a civil penalty pursuant to this
83 section an amount equal to the amount of such penalty collected by the
84 authority less any administrative and implementation costs of such
85 program.

86 Sec. 4. (NEW) (*Effective July 1, 2012*) (a) As used in this section:

87 (1) "Municipality" shall have the same meaning as in section 7-233b
88 of the general statutes;

89 (2) "Critical facility" means any hospital, police station, fire station,
90 water treatment plant, sewage treatment plant or commercial area of a
91 municipality; and

92 (3) "Renewable distributed energy generation" means energy
93 produced from a Class I renewable energy source, as defined in section
94 16-1 of the general statutes.

95 (b) The Department of Energy and Environmental Protection shall
96 establish a micro-grid grant and loan program to support local
97 renewable distributed energy generation for critical facilities. The
98 department shall develop and issue a request for proposals from
99 municipalities, electric distribution companies, participating municipal
100 electric utilities, energy improvement districts and private entities
101 seeking to develop micro-grid renewable distributed energy

102 generation for use by critical facilities. Any entity eligible to submit a
 103 proposal pursuant to this section may collaborate with any other such
 104 entity in submitting such proposal.

105 (c) The department shall award grants or loans under the micro-grid
 106 grant and loan program to not less than two recipients. At least one
 107 grant or loan awarded pursuant to this section shall be awarded to a
 108 recipient developing a micro-grid project in a municipality with a
 109 population in excess of forty-five thousand, as determined by the most
 110 recent decennial census. The total amount of grants and loans awarded
 111 under the program shall not exceed five million dollars.

112 (d) Not later than January first, annually, for a period of five years
 113 after receiving a grant or loan under the micro-grid grant and loan
 114 program, any recipient of such grant or loan shall submit a report, in
 115 accordance with section 11-4a of the general statutes, to the
 116 department and the joint standing committees of the General
 117 Assembly having cognizance of matters relating to appropriations and
 118 energy and technology. Such report shall include information
 119 concerning the status and outcome of such recipient's micro-grid
 120 project.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	28-5(b)
Sec. 2	<i>July 1, 2012</i>	28-5(e)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2012</i>	New section

Statement of Purpose:

To implement the Governor's budget recommendations.

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