



OLR RESEARCH REPORT

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SUMMARIES OF PROPOSED ENERGY AND TECHNOLOGY BILLS

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You asked for brief summaries of bills the Energy and Technology Committee will hear this session. This report covers raised bills filed on or before February 28 and SB 23 (a governor's bill). OLR report 2012-R-0120 will summarize subsequent bills.

SB 23 AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE

This bill requires the Public Utilities Regulatory Authority (PURA, formerly the Department of Public Utility Control, DPUC) to establish performance standards for energy and water companies for preparing for and restoring service in an emergency. It requires the companies to report annually to PURA on their performance. It allows PURA to (1) investigate a company's compliance with the standards, (2) issue orders to enforce the standards, and (3) impose civil penalties up to \$25 million for noncompliance. If PURA imposes civil penalties, it must use the money it collects to provide rebates to affected customers.

The bill requires the Department of Energy and Environmental Protection (DEEP) to establish a micro-grid grant and loan program to support local clean energy generating facilities for hospitals, police and fire stations, water and sewage treatment plants, and the commercial areas of a municipality (i.e., critical facilities).

The bill requires public service companies (investor-owned utilities) to carry out duties and functions assigned to them under the state civil preparedness plan. By law, the Department of Emergency Services and Public Protection commissioner can issue orders and regulations to implement the plan. He can use state personnel, facilities, and equipment and each agency must implement activities needed for the state's welfare and safety. The bill additionally requires agencies to participate in planning, training, and exercises, as directed by the commissioner.

EFFECTIVE DATE: July 1, 2012, except for the performance standards, which are effective upon passage.

SB 228 AN ACT CONCERNING TECHNICAL REVISIONS TO ENERGY AND TECHNOLOGY STATUTES

This bill transfers various responsibilities and powers from DEEP to PURA. Under PA 11-80, PURA is part of DEEP, the PURA directors (the officials who administer what was previously the DPUC) have a wide range of responsibilities on matters affecting utility service and rates.

Among other things, the bill transfers from DEEP to PURA:

1. responsibility for periodically reviewing nuclear power plant decommissioning plans,
2. authority to implement flexible utility pricing to promote economic development,
3. responsibility for implementing telecommunications deregulation in accordance with statutory principals,
4. authority to use alternative forms of regulation for telecommunications services,
5. responsibility to set the subscriber fee used to support public access cable programming,
6. authority to require organizations administering public access programs to undergo an audit, and
7. authority for setting safety and other requirements for the Call Before You Dig program.

The bill also makes minor and technical changes.

EFFECTIVE DATE: Upon passage

HB 5271 AN ACT CONCERNING THE SITING COUNCIL

This bill requires telecommunications tower developers to begin consulting with potentially affected municipalities 90, rather than 60, days before applying for a Siting Council certificate. It also expands the scope of this consultation.

The bill prohibits the council from approving a proposed tower located within 250 feet of a school or commercial day care center unless the (1) location is acceptable to the municipality's chief elected official or (2) council finds that the tower will not have a substantial adverse effect on the aesthetics or scenic quality of the neighborhood where they it is located.

The bill expands the factors the Siting Council must consider in granting a certificate for cable TV towers and telecommunications towers by requiring it to consider (1) the manufacturer's recommended safety standards for any equipment, machinery, or technology and (2) the latest facility design options intended to minimize aesthetic and environmental impacts. It expands the council's ability to deny an application for these towers if they would substantially affect the scenic quality of the surrounding neighborhood and public safety concerns do not require that it be built at the proposed site.

When approving certificates for electric power plants, the bill requires the siting council to consider neighborhood environmental and public safety concerns.

The bill modifies how the municipal participation fees paid by certificate applicants, other than applicants for telecommunications towers, are distributed to municipalities, requiring the municipality to apply for reimbursement at the end of a certification proceeding, instead of at the beginning.

If the council believes that any party applying for a cable TV or telecommunications tower has intentionally omitted or misrepresented a material fact in the course of a council proceeding, the bill allows the council to ask the attorney general to bring a civil action against the party.

EFFECTIVE DATE: July 1, 2012, except the municipal consultation and participation fee provisions are effective upon passage

HB 5572 AN ACT CONCERNING ENERGY INFRASTRUCTURE.

This bill requires PURA to conduct a docket to develop Connecticut-based renewable technologies. It must report its findings to the Energy and Technology Committee by February 1, 2013.

EFFECTIVE DATE: July 1, 2012

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