



General Assembly

January Session, 2013

**Governor's Bill No. 839**

LCO No. 3005



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:

SEN. WILLIAMS, 29<sup>th</sup> Dist.

SEN. LOONEY, 11<sup>th</sup> Dist.

REP. SHARKEY, 88<sup>th</sup> Dist.

REP. ARESIMOWICZ, 30<sup>th</sup> Dist.

***AN ACT CONCERNING STATUTORY CHANGES TO ADVANCE  
CONNECTICUT'S ENERGY POLICIES.***

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

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2 general statutes is repealed and the following is substituted in lieu  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

4 (2) ["Director"] "Utility commissioner" means a member of [said  
5 authority] the Public Utilities Regulatory Authority;

6 Sec. 2. Subdivision (52) of subsection (a) of section 16-1 of the  
7 general statutes is repealed and the following is substituted in lieu  
8 thereof (*Effective from passage*):

9 (52) "Commissioner of Energy and Environmental Protection"  
10 means the Commissioner of Energy and Environmental Protection

11 appointed pursuant to title 4, or the commissioner's designee.

12 Sec. 3. Section 16-2 of the general statutes is repealed and the  
13 following is substituted in lieu thereof (*Effective from passage*):

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

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

41 (c) Any matter coming before the authority may be assigned by the

42 chairperson to a panel of one or more [directors] utility commissioners.  
43 Except as otherwise provided by statute or regulation, the panel shall  
44 determine whether a public hearing shall be held on the matter, and  
45 may designate one or two of its members to conduct such hearing or  
46 [request the appointment of] may assign a hearing officer to ascertain  
47 the facts and report thereon to the panel. The decision of the panel, if  
48 unanimous, shall be the decision of the authority. If the decision of the  
49 panel is not unanimous, the matter shall be approved by a majority  
50 vote of the [panel] utility commissioners.

51 (d) The [directors] utility commissioners of the [authority] Public  
52 Utilities Regulatory Authority shall serve full time and shall make full  
53 public disclosure of their assets, liabilities and income at the time of  
54 their appointment, and thereafter each member of the authority shall  
55 make such disclosure on or before July thirtieth of each year of such  
56 member's term, and shall file such disclosure with the office of the  
57 Secretary of the State. Each [director] utility commissioner shall receive  
58 annually a salary equal to that established for management pay plan  
59 salary group seventy-five by the Commissioner of Administrative  
60 Services, except that the chairperson shall receive annually a salary  
61 equal to that established for management pay plan salary group  
62 seventy-seven.

63 (e) To insure the highest standard of public utility regulation, on  
64 and after October 1, 2007, any newly appointed [director] utility  
65 commissioner of the authority shall have education or training and  
66 three or more years of experience in one or more of the following  
67 fields: Economics, engineering, law, accounting, finance, utility  
68 regulation, public or government administration, consumer advocacy,  
69 business management, and environmental management. On and after  
70 July 1, 1997, at least three of these fields shall be represented on the  
71 authority by individual directors at all times. Any time a [director]  
72 utility commissioner is newly appointed, at least one of the [directors]  
73 utility commissioners shall have experience in utility customer  
74 advocacy.

75 (f) ~~(1)~~ The chairperson of the authority, with the approval of the  
76 Commissioner of Energy and Environmental Protection, shall  
77 prescribe the duties of the staff assigned to the authority in order to  
78 ~~[(1)] (A)~~ conduct comprehensive planning with respect to the functions  
79 of the authority; ~~[(2) coordinate the activities of the authority; (3)] (B)~~  
80 cause the administrative organization of the authority to be examined  
81 with a view to promoting economy and efficiency; ~~[(4)] and (C)~~  
82 organize the authority into such divisions, bureaus or other units as  
83 necessary for the efficient conduct of the business of the authority and  
84 may from time to time make recommendations to the ~~[commissioner]~~  
85 Commissioner of Energy and Environmental Protection regarding staff  
86 and resources. ~~[(5)]~~

87 (2) The chairperson of the Public Utilities Regulatory Authority, in  
88 order to implement the comprehensive planning and organizational  
89 structure established pursuant to subdivision (1) of subsection (f) of  
90 this section, shall (A) coordinate the activities of the authority and  
91 prescribe the duties of the staff assigned to the authority; (B) for any  
92 proceeding on a proposed rate amendment in which staff of the  
93 authority are to be made a party pursuant to section 16-19j, determine  
94 which staff shall appear and participate in the proceedings and which  
95 shall serve the members of the authority; [(6)] (C) enter into such  
96 contractual agreements, in accordance with established procedures, as  
97 may be necessary for the discharge of the authority's duties; [(7)] (D)  
98 subject to the provisions of section 4-32, and unless otherwise provided  
99 by law, receive any money, revenue or services from the federal  
100 government, corporations, associations or individuals, including  
101 payments from the sale of printed matter or any other material or  
102 services; and [(8)] (E) require the staff of the authority to have expertise  
103 in public utility engineering and accounting, finance, economics,  
104 computers and rate design.

105 (g) No ~~[director]~~ utility commissioner of the ~~[authority]~~ Public  
106 Utilities Regulatory Authority or employee of the Department of  
107 Energy and Environmental Protection assigned to work with the

108 authority shall [, while serving as such or during such assignment,]  
109 have any interest, financial or otherwise, direct or indirect, or engage  
110 in any business, employment, transaction or professional activity, or  
111 incur any obligation of any nature, which is in substantial conflict with  
112 the proper discharge of his or her duties or employment in the public  
113 interest and of his or her responsibilities as prescribed in the laws of  
114 this state, as defined in section 1-85, concerning any matter within the  
115 jurisdiction of the authority; provided, no such substantial conflict  
116 shall be deemed to exist solely by virtue of the fact that a director of  
117 the authority or employee of the department assigned to work with the  
118 authority, or any business in which such a person has an interest,  
119 receives utility service from one or more Connecticut utilities under  
120 the normal rates and conditions of service.

121 (h) No [member] utility commissioner of the [authority] Public  
122 Utilities Regulatory Authority or employee of the [department]  
123 Department of Energy and Environmental Protection assigned to work  
124 with the authority, during such assignment, shall accept other  
125 employment which will either impair his or her independence of  
126 judgment as to his or her official duties or employment or require him  
127 or her, or induce him or her, to disclose confidential information  
128 acquired by him or her in the course of and by reason of his or her  
129 official duties.

130 (i) No [director] utility commissioner of the [authority] Public  
131 Utilities Regulatory Authority or employee of the [department]  
132 Department of Energy and Environmental Protection assigned to work  
133 with the authority, during such assignment, shall wilfully and  
134 knowingly disclose, for pecuniary gain, to any other person,  
135 confidential information acquired by him or her in the course of and  
136 by reason of his or her official duties or employment or use any such  
137 information for the purpose of pecuniary gain.

138 (j) No [director] utility commissioner of the [authority] Public  
139 Utilities Regulatory Authority or employee of the [department]

140 Department of Energy and Environmental Protection assigned to work  
141 with the authority, during such assignment, shall agree to accept, or be  
142 in partnership or association with any person, or a member of a  
143 professional corporation or in membership with any union or  
144 professional association which partnership, association, professional  
145 corporation, union or professional association agrees to accept any  
146 employment, fee or other thing of value, or portion thereof, in  
147 consideration of his or her appearing, agreeing to appear, or taking  
148 any other action on behalf of another person before the authority, the  
149 Connecticut Siting Council, the Office of Policy and Management or  
150 the Commissioner of Energy and Environmental Protection.

151 (k) No [director] utility commissioner of the [authority] Public  
152 Utilities Regulatory Authority shall, for a period of one year following  
153 the termination of his or her service as a director, accept employment:  
154 (1) By a public service company or by any person, firm or corporation  
155 engaged in lobbying activities with regard to governmental regulation  
156 of public service companies; (2) by a certified telecommunications  
157 provider or by any person, firm or corporation engaged in lobbying  
158 activities with regard to governmental regulation of persons, firms or  
159 corporations so certified; or (3) by an electric supplier or by any  
160 person, firm or corporation engaged in lobbying activities with regard  
161 to governmental regulation of electric suppliers. No such [director]  
162 utility commissioner who is also an attorney shall in any capacity,  
163 appear or participate in any matter, or accept any compensation  
164 regarding a matter, before the authority, for a period of one year  
165 following the termination of his or her service as a [director] utility  
166 commissioner.

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

172 (m) Notwithstanding any provision of the general statutes, the  
173 decisions of the Public Utilities Regulatory Authority, including, but  
174 not limited to, decisions relating to rate amendments arising from the  
175 Comprehensive Energy Strategy, the Integrated Resources Plan, the  
176 Conservation Load Management Plan and policies established by the  
177 Department of Energy and Environmental Protection, shall be guided  
178 by such strategy, plans and policies.

179 Sec. 4. Section 16-3 of the general statutes is repealed and the  
180 following is substituted in lieu thereof (*Effective from passage*):

181 If any vacancy of a utility commissioner occurs in [said] the Public  
182 Utilities Regulatory Authority at any time when the General Assembly  
183 is not in session, the Governor shall appoint a [director] utility  
184 commissioner to fill such vacancy until such vacancy is filled at the  
185 next session of the General Assembly. [Any other vacancy shall be  
186 filled, for the unexpired portion of the term, in the manner provided in  
187 section 16-2.]

188 Sec. 5. Section 16-6b of the general statutes is repealed and the  
189 following is substituted in lieu thereof (*Effective from passage*):

190 The Public Utilities Regulatory Authority [, in consultation with the  
191 Department of Energy and Environmental Protection,] may, in  
192 accordance with chapter 54, adopt such regulations with respect to:  
193 [rates] (1) Rates and charges, services, accounting practices, safety and  
194 the conduct of operations generally of public service companies subject  
195 to its jurisdiction as it deems reasonable and necessary; [. The  
196 department in consultation with the authority may, in accordance with  
197 chapter 54, adopt such regulations with respect to] (2) services,  
198 accounting practices, safety and the conduct of operations generally of  
199 electric suppliers subject to its jurisdiction as it deems reasonable and  
200 necessary; [. After consultation with the Secretary of the Office of  
201 Policy and Management, the department may also adopt regulations,  
202 in accordance with chapter 54,] and (3) establishing standards for

203 systems utilizing cogeneration technology and renewable fuel  
204 resources, in accordance with the Department of Energy and  
205 Environmental Protection's policies.

206 Sec. 6. Section 16-7 of the general statutes is repealed and the  
207 following is substituted in lieu thereof (*Effective from passage*):

208 The [directors and any employees of the department assigned to]  
209 utility commissioners of the Public Utilities Regulatory Authority, or  
210 their designees, while engaged in the performance of their duties may,  
211 at all reasonable times, enter any premises, buildings, cars or other  
212 places belonging to or controlled by any public service company or  
213 electric supplier, and any person obstructing or in any way causing to  
214 be obstructed or hindered any [member] utility commissioner of the  
215 Public Utilities Regulatory Authority or employee of the [department]  
216 Department of Energy and Environmental Protection in the  
217 performance of his or her duties shall be fined not more than two  
218 hundred dollars or imprisoned not more than six months, or both.

219 Sec. 7. Section 16-19e of the general statutes is repealed and the  
220 following is substituted in lieu thereof (*Effective from passage*):

221 (a) In the exercise of its powers under the provisions of this title, the  
222 Public Utilities Regulatory Authority shall examine and regulate the  
223 transfer of existing assets and franchises, the expansion of the plant  
224 and equipment of existing public service companies, the operations  
225 and internal workings of public service companies and the  
226 establishment of the level and structure of rates in accordance with the  
227 following principles: (1) That there is a clear public need for the service  
228 being proposed or provided; (2) that the public service company shall  
229 be fully competent to provide efficient and adequate service to the  
230 public in that such company is technically, financially and  
231 managerially expert and efficient; (3) that the authority and all public  
232 service companies shall perform all of their respective public  
233 responsibilities with economy, efficiency and care for public safety and

234 energy security, and so as to promote economic development within  
235 the state with consideration for energy and water conservation, energy  
236 efficiency and the development and utilization of renewable sources of  
237 energy and for the prudent management of the natural environment;  
238 (4) that the level and structure of rates be sufficient, but no more than  
239 sufficient, to allow public service companies to cover their operating  
240 costs including, but not limited to, appropriate staffing levels, and  
241 capital costs, to attract needed capital and to maintain their financial  
242 integrity, and yet provide appropriate protection to the relevant public  
243 interests, both existing and foreseeable which shall include, but not be  
244 limited to, reasonable costs of security of assets, facilities and  
245 equipment that are incurred solely for the purpose of responding to  
246 security needs associated with the terrorist attacks of September 11,  
247 2001, and the continuing war on terrorism; (5) that the level and  
248 structure of rates charged customers shall reflect prudent and efficient  
249 management of the franchise operation; and (6) that the rates, charges,  
250 conditions of service and categories of service of the companies not  
251 discriminate against customers which utilize renewable energy sources  
252 or cogeneration technology to meet a portion of their energy  
253 requirements.

254 (b) The Public Utilities Regulatory Authority shall promptly  
255 undertake a separate, general investigation of, and shall hold at least  
256 one public hearing on new pricing principles and rate structures for  
257 electric companies and for gas companies to consider, without  
258 limitation, long run incremental cost of marginal cost pricing, peak  
259 load or time of day pricing and proposals for optimizing the utilization  
260 of energy and restraining its wasteful use and encouraging energy  
261 conservation, and any other matter with respect to pricing principles  
262 and rate structures as the authority shall deem appropriate. The  
263 authority shall determine whether existing or future rate structures  
264 place an undue burden upon those persons of poverty status and shall  
265 make such adjustment in the rate structure as is necessary or desirable  
266 to take account of their indigency. The authority shall require the

267 utilization of such new principles and structures to the extent that the  
268 authority determines that their implementation is in the public  
269 interest, as identified by the Department of Energy and Environmental  
270 Protection in the Integrated Resources Plan and the Comprehensive  
271 Energy Strategy, and necessary or desirable to accomplish the  
272 purposes of this provision without being unfair or discriminatory or  
273 unduly burdensome or disruptive to any group or class of customers,  
274 and determines that such principles and structures are capable of  
275 yielding required revenues. In reviewing the rates and rate structures  
276 of electric and gas companies, the authority shall [take into  
277 consideration appropriate energy policies, including those of the state  
278 as expressed in subsection (c) of this section] be guided by the goals of  
279 the Department of Energy and Environmental Protection, as described  
280 in section 22a-2d, the Comprehensive Energy Strategy, the Integrated  
281 Resources Plan and the Conservation and Load Management Plan. The  
282 authority shall issue its initial findings on such investigation by  
283 December 1, 1976, and its final findings and order by June 1, 1977;  
284 provided that after such final findings and order are issued, the  
285 authority shall at least once every two years undertake such further  
286 investigations as it deems appropriate with respect to new  
287 developments or desirable modifications in pricing principles and rate  
288 structures and, after holding at least one public hearing thereon, shall  
289 issue its findings and order thereon.

290 (c) The Department of Energy and Environmental Protection shall  
291 coordinate and integrate its actions, decisions and policies pertaining  
292 to gas and electric companies, so far as possible, with the actions,  
293 decisions and policies of other agencies and instrumentalities in order  
294 to further the development and optimum use of the state's energy  
295 resources and conform to the greatest practicable extent with the state  
296 energy policy as stated in [section] sections 16a-35k, 16a-3a, as  
297 amended by this act, and 16a-3d, as amended by this act, taking into  
298 account prudent management of the natural environment and  
299 continued promotion of economic development within the state. The

300 department shall defer, as appropriate, to any actions taken by other  
301 agencies and instrumentalities on matters within their respective  
302 jurisdictions.

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

310 (e) The Public Utilities Regulatory Authority, in a proceeding on a  
311 rate amendment proposed by an electric distribution company based  
312 upon an alleged need for increased revenues to finance an expansion  
313 of the capacity of its electric distribution system, shall determine  
314 whether demand-side management would be more cost-effective in  
315 meeting any demand for electricity for which the increase in capacity is  
316 proposed.

317 (f) The provisions of this section shall not apply to the regulation of  
318 a telecommunications service which is a competitive service, as  
319 defined in section 16-247a, or to a telecommunications service to which  
320 an approved plan for an alternative form of regulation applies,  
321 pursuant to section 16-247k.

322 (g) The authority may, upon application of any gas or electric public  
323 service company, which has, as part of its existing rate plan, an  
324 earnings sharing mechanism, modify such rate plan to allow the gas or  
325 electric public service company, after a hearing that is conducted as a  
326 contested case, in accordance with chapter 54, to include in its rates the  
327 reasonable costs of security of assets, facilities, and equipment, both  
328 existing and foreseeable, that are incurred solely for the purpose of  
329 responding to security needs associated with the terrorist attacks of  
330 September 11, 2001, and the continuing war on terrorism.

331 Sec. 8. Section 16-245ee of the general statutes is repealed and the  
332 following is substituted in lieu thereof (*Effective from passage*):

333 Before approving any plan for energy conservation and load  
334 management and [renewable] clean energy projects issued to [it] the  
335 Commissioner of Energy and Environmental Protection by the Energy  
336 Conservation and Management Board, the board of directors of the  
337 Connecticut Clean Energy Finance and Investment Authority or an  
338 electric distribution company, [the Department of Energy and  
339 Environmental Protection] such commissioner shall determine that an  
340 equitable amount of the funds administered by each such board are to  
341 be deployed among small and large customers with a maximum  
342 average monthly peak demand of one hundred kilowatts in census  
343 tracts in which the median income is not more than sixty per cent of  
344 the state median income. The [department] Commissioner of Energy  
345 and Environmental Protection shall determine such equitable share  
346 and such projects may include a mentoring component for such  
347 communities. On and after January 1, 2012, and annually thereafter,  
348 the [department] Commissioner of Energy and Environmental  
349 Protection shall report, in accordance with the provisions of section 11-  
350 4a, to the joint standing committee of the General Assembly having  
351 cognizance of matters relating to energy regarding the distribution of  
352 funds to such communities. Any such report may be submitted  
353 electronically.

354 Sec. 9. Section 16-2c of the general statutes is repealed and the  
355 following is substituted in lieu thereof (*Effective from passage*):

356 There is established a Division of Adjudication within the  
357 [Department of Energy and Environmental Protection] Public Utilities  
358 Regulatory Authority. The staff of the division shall include, but not be  
359 limited to, hearing officers appointed pursuant to subsection (c) of  
360 section 16-2, as amended by this act. The responsibilities of the division  
361 shall include, but not be limited to, hearing matters assigned under  
362 said subsection and advising the [commissioner and the] Public

363 Utilities Regulatory Authority concerning legal issues. The  
364 [commissioner] chairperson of the Public Utilities Regulatory  
365 Authority shall appoint such hearing officers pursuant to section 16-2,  
366 as amended by this act, and assign such other staff as are necessary to  
367 advise the chairperson of the authority.

368 Sec. 10. Section 16a-3a of the general statutes is repealed and the  
369 following is substituted in lieu thereof (*Effective from passage*):

370 (a) The Department of Energy and Environmental Protection, in  
371 consultation with the Connecticut Energy Advisory Board and the  
372 electric distribution companies, shall review the state's energy and  
373 capacity resource assessment and develop [an integrated resources  
374 plan] the Integrated Resources Plan for the procurement of energy  
375 resources, including, but not limited to, conventional and renewable  
376 generating facilities, energy efficiency, load management, demand  
377 response, combined heat and power facilities, distributed generation  
378 and other emerging energy technologies to meet the projected  
379 requirements of their customers in a manner that minimizes the cost of  
380 such resources to customers over time and maximizes consumer  
381 benefits consistent with the state's environmental goals and standards.  
382 [Such integrated resources] Said plan shall seek to lower the cost of  
383 electricity.

384 (b) On or before January 1, 2012, and biennially thereafter, the  
385 Department of Energy and Environmental Protection, in consultation  
386 with the Connecticut Energy Advisory Board and the electric  
387 distribution companies, shall prepare an assessment of (1) the energy  
388 and capacity requirements of customers for the next three, five and ten  
389 years, (2) the manner of how best to eliminate growth in electric  
390 demand, (3) how best to level electric demand in the state by reducing  
391 peak demand and shifting demand to off-peak periods, (4) the impact  
392 of current and projected environmental standards, including, but not  
393 limited to, those related to greenhouse gas emissions and the federal  
394 Clean Air Act goals and how different resources could help achieve

395 those standards and goals, (5) energy security and economic risks  
396 associated with potential energy resources, and (6) the estimated  
397 lifetime cost and availability of potential energy resources.

398 (c) Resource needs shall first be met through all available energy  
399 efficiency and demand reduction resources that are cost-effective,  
400 reliable and feasible. The projected customer cost impact of any  
401 demand-side resources considered pursuant to this subsection shall be  
402 reviewed on an equitable basis with nondemand-side resources. The  
403 [integrated resources plan] Integrated Resources Plan shall specify (1)  
404 the total amount of energy and capacity resources needed to meet the  
405 requirements of all customers, (2) the extent to which demand-side  
406 measures, including efficiency, conservation, demand response and  
407 load management can cost-effectively meet these needs in a manner  
408 that ensures equity in benefits and cost reduction to all classes and  
409 subclasses of consumers, (3) needs for generating capacity and  
410 transmission and distribution improvements, (4) how the development  
411 of such resources will reduce and stabilize the costs of electricity to  
412 each class and subclass of consumers, and (5) the manner in which  
413 each of the proposed resources should be procured, including the  
414 optimal contract periods for various resources.

415 (d) The [integrated resources plan] Integrated Resources Plan shall  
416 consider: (1) Approaches to maximizing the impact of demand-side  
417 measures; (2) the extent to which generation needs can be met by  
418 renewable and combined heat and power facilities; (3) the  
419 optimization of the use of generation sites and generation portfolio  
420 existing within the state; (4) fuel types, diversity, availability, firmness  
421 of supply and security and environmental impacts thereof, including  
422 impacts on meeting the state's greenhouse gas emission goals; (5)  
423 reliability, peak load and energy forecasts, system contingencies and  
424 existing resource availabilities; (6) import limitations and the  
425 appropriate reliance on such imports; (7) the impact of the  
426 [procurement] plan on the costs of electric customers; and (8) the  
427 effects on participants and nonparticipants. [Such plan] The Integrated

428 Resources Plan shall include options for lowering the rates and cost of  
429 electricity. [The Department of Energy and Environmental Protection  
430 shall hold a public hearing on such integrated resources plan pursuant  
431 to chapter 54. The commissioner may approve or reject such plan with  
432 comments.]

433 (e) The procurement manager of the Public Utilities Regulatory  
434 Authority, in consultation with the electric distribution companies, the  
435 regional independent system operator, and the Connecticut Energy  
436 Advisory Board, shall develop a procurement plan and hold public  
437 hearings on the proposed plan. Such hearings shall not constitute a  
438 contested case and shall be held in accordance with chapter 54. The  
439 Public Utilities Regulatory Authority shall give not less than fifteen  
440 days' notice of such proceeding by electronic publication on the  
441 department's Internet web site. Notice of such hearing may also be  
442 published in one or more newspapers if deemed necessary by the  
443 [commissioner] Commissioner of Energy and Environmental  
444 Protection. Such notice shall state the date, time, and place of the  
445 hearing, the subject matter of the hearing, the statutory authority for  
446 the proposed [integrated resources plan] Integrated Resources Plan  
447 and the location where a copy of the proposed [integrated resources  
448 plan] Integrated Resources Plan may be obtained or examined in  
449 addition to posting the plan on the department's Internet web site. The  
450 [commissioner] Commissioner of Energy and Environmental  
451 Protection shall provide a time period of not less than forty-five days  
452 from the date the notice is published on the department's Internet web  
453 site for public review and comment. The [commissioner]  
454 Commissioner of Energy and Environmental Protection shall consider  
455 fully, after all public meetings, all written and oral comments  
456 concerning the proposed [integrated resources plan] Integrated  
457 Resources Plan and shall post on the department's Internet web site  
458 and notify by electronic mail each person who requests such notice.  
459 The [commissioner] Commissioner of Energy and Environmental  
460 Protection shall make available the electronic text of the final

461 [integrated resources plan] Integrated Resources Plan or an Internet  
462 web site where the final [integrated resources plan] Integrated  
463 Resources Plan is posted, and a report summarizing (1) all public  
464 comments, and (2) the changes made to the final [integrated resources  
465 plan] Integrated Resources Plan in response to such comments and the  
466 reasons therefor. The [commissioner] Commissioner of Energy and  
467 Environmental Protection shall submit the final [integrated resources  
468 plan] Integrated Resources Plan by electronic means, or as requested,  
469 to the joint standing committees of the General Assembly having  
470 cognizance of matters relating to energy and the environment. The  
471 department's Bureau of Energy shall, after the public hearing, make  
472 recommendations to the Commissioner of Energy and Environmental  
473 Protection regarding plan modifications. Said commissioner shall  
474 approve or reject the plan with comments.

475 (f) On or before March 1, 2012, and every two years thereafter, the  
476 Department of Energy and Environmental Protection shall report to  
477 the joint standing committees of the General Assembly having  
478 cognizance of matters relating to energy and the environment  
479 regarding goals established and progress toward implementation of  
480 the [integrated resources plan] Integrated Resources Plan established  
481 pursuant to this section, as well as any recommendations for the  
482 process.

483 (g) All costs associated with the development of the resource  
484 assessment and the development of the [integrated resources plan]  
485 Integrated Resources Plan and the procurement plan shall be  
486 recoverable through the assessment in section 16-49.

487 [(h) The decisions of the Public Utilities Regulatory Authority shall  
488 be guided by the goals of the Department of Energy and  
489 Environmental Protection, as described in section 22a-2d, and with the  
490 goals of the integrated resources plan approved pursuant to this  
491 section and the comprehensive energy plan developed pursuant to  
492 section 16a-3d and shall be based on the evidence in the record of each

493 proceeding.]

494 Sec. 11. Section 16a-3d of the general statutes is repealed and the  
495 following is substituted in lieu thereof (*Effective from passage*):

496 (a) On or before July 1, 2012, and every three years thereafter, the  
497 Commissioner of Energy and Environmental Protection, in  
498 consultation with the Connecticut Energy Advisory Board, shall  
499 prepare [a comprehensive energy plan] the Comprehensive Energy  
500 Strategy. Such plan shall reflect the legislative findings and policy  
501 stated in section 16a-35k and shall incorporate (1) an assessment and  
502 plan for all energy needs in the state, including, but not limited to,  
503 electricity, heating, cooling, and transportation, (2) the findings of the  
504 [integrated resources plan] Integrated Resources Plan, (3) the findings  
505 of the plan for energy efficiency adopted pursuant to section 16-245m,  
506 and (4) the findings of the plan for renewable energy adopted  
507 pursuant to section 16-245n. Such plan shall further include, but not be  
508 limited to, (A) an assessment of current energy supplies, demand and  
509 costs, (B) identification and evaluation of the factors likely to affect  
510 future energy supplies, demand and costs, (C) a statement of progress  
511 made toward achieving the goals and milestones set in the preceding  
512 [comprehensive energy plan] Comprehensive Energy Strategy, (D) a  
513 statement of energy policies and long-range energy planning  
514 objectives and strategies appropriate to achieve, among other things, a  
515 sound economy, the least-cost mix of energy supply sources and  
516 measures that reduce demand for energy, giving due regard to such  
517 factors as consumer price impacts, security and diversity of fuel  
518 supplies and energy generating methods, protection of public health  
519 and safety, environmental goals and standards, conservation of energy  
520 and energy resources and the ability of the state to compete  
521 economically, (E) recommendations for administrative and legislative  
522 actions to implement such policies, objectives and strategies, (F) an  
523 assessment of the potential costs savings and benefits to ratepayers,  
524 including, but not limited to, carbon dioxide emissions reductions or  
525 voluntary joint ventures to repower some or all of the state's coal-fired

526 and oil-fired generation facilities built before 1990, and (G) the benefits,  
527 costs, obstacles and solutions related to the expansion and use and  
528 availability of natural gas in Connecticut. If the [department]  
529 Department of Energy and Environmental Protection finds that such  
530 expansion is in the public interest, it shall develop a plan to increase  
531 the use and availability of natural gas. [for transportation purposes.]

532 (b) In adopting the [comprehensive energy plan] Comprehensive  
533 Energy Strategy, the Commissioner of Energy and Environmental  
534 Protection, or the commissioner's designee, shall conduct a proceeding  
535 and such proceeding shall not be considered a contested case under  
536 chapter 54, provided a hearing pursuant to chapter 54 shall be held.  
537 The [commissioner] Commissioner of Energy and Environmental  
538 Protection shall give not less than fifteen days' notice of such  
539 proceeding by electronic publication on the department's Internet web  
540 site. Notice of such hearing may also be published in one or more  
541 newspapers if deemed necessary by the [commissioner] Commissioner  
542 of Energy and Environmental Protection. Such notice shall state the  
543 date, time, and place of the meeting, the subject matter of the meeting,  
544 the statutory authority for the proposed plan and the location where a  
545 copy of the proposed plan may be obtained or examined in addition to  
546 posting the plan on the department's Internet web site. [The Public  
547 Utilities Regulatory Authority shall comment on the plan's impact on  
548 ratepayers and any other person may comment on the proposed plan.]  
549 The [commissioner] Commissioner of Energy and Environmental  
550 Protection shall provide a time period of not less than forty-five days  
551 from the date the notice is published on the department's Internet web  
552 site for public review and comment. The [commissioner]  
553 Commissioner of Energy and Environmental Protection shall consider  
554 fully, after all public meetings, all written and oral comments  
555 concerning the proposed plan and shall post on the department's  
556 Internet web site and notify by electronic mail each person who  
557 requests such notice. The [commissioner] Commissioner of Energy and  
558 Environmental Protection shall make available the electronic text of the

559 final plan or an Internet web site where the final plan is posted, and a  
560 report summarizing (1) all public comments, and (2) the changes made  
561 to the final plan in response to such comments and the reasons  
562 [therefore.] therefor. The Public Utilities Regulatory Authority shall  
563 comment on the plan's impact on natural gas and electric rates.

564 (c) The [commissioner] Commissioner of Energy and Environmental  
565 Protection shall submit the final plan electronically to the joint  
566 standing committees of the General Assembly having cognizance of  
567 matters relating to energy and the environment.

568 (d) The [commissioner] Commissioner of Energy and  
569 Environmental Protection may, in consultation with the Connecticut  
570 Energy Advisory Board, modify the [comprehensive energy plan]  
571 Comprehensive Energy Strategy in accordance with the procedures  
572 outlined in subsections (b) and (c) of this section. The [commissioner]  
573 Commissioner of Energy and Environmental Protection may approve  
574 or reject such plan with comments.

575 (e) The decisions of the Public Utilities Regulatory Authority shall  
576 be guided by the goals of the Department of Energy and  
577 Environmental Protection, as listed in section 22a-2d, and by the goals  
578 of the [comprehensive energy plan] Comprehensive Energy Strategy  
579 and the [integrated resources plan] Integrated Resources Plan  
580 approved pursuant to section 16a-3a, as amended by this act, and shall  
581 be based on the evidence in the record of each proceeding.

582 [(f) All electric distribution companies' reasonable costs associated  
583 with the development of the resource assessment shall be recoverable  
584 through the systems benefits charge.]

585 Sec. 12. Section 16a-13b of the general statutes is repealed and the  
586 following is substituted in lieu thereof (*Effective from passage*):

587 (a) The [commissioner] Commissioner of Energy and Environmental  
588 Protection shall: (1) Be responsible for the conduct and administration

589 of energy emergency planning and preparedness activities generally,  
590 including the coordination of such activities under this title with other  
591 state emergency planning conducted under any other provisions of the  
592 general statutes or special acts and with energy emergency planning or  
593 preparedness activities undertaken by the federal government, other  
594 states and regional or interstate organizations, and (2) coordinate,  
595 under the direction of the office of the Governor, the adoption and  
596 implementation of emergency measures by state departments during  
597 any energy emergency proclaimed under section 16a-11 or section 16a-  
598 12, including the coordination of state, federal, regional and interstate  
599 activities.

600 (b) In exercising the responsibilities under subsection (a) of this  
601 section, the [commissioner] Commissioner of Energy and  
602 Environmental Protection shall consult with the Department of  
603 Emergency Services and Public Protection, the Public Utilities  
604 Regulatory Authority, the Department of Transportation and such  
605 other state agencies as the [commissioner] Commissioner of Energy  
606 and Environmental Protection deems appropriate. Each state agency  
607 shall assist the commissioner in carrying out the responsibilities  
608 assigned by sections 16a-9 to 16a-13d, inclusive, as amended by this  
609 act.

610 Sec. 13. Section 16a-37c of the general statutes is repealed and the  
611 following is substituted in lieu thereof (*Effective from passage*):

612 (a) The Commissioner of Energy and Environmental Protection  
613 shall establish a program to provide incentives to agencies that achieve  
614 savings through energy conservation. The program shall allow any  
615 state agency to request from the Department of Energy and  
616 Environmental Protection a statement of the agency's energy cost  
617 savings achieved through conservation measures during the preceding  
618 fiscal year. The Department of Energy and Environmental Protection,  
619 in consultation with the Public Utilities Regulatory Authority, shall  
620 provide any agency with the requested statement. Based upon said

621 statement the [commissioner] Commissioner of Energy and  
622 Environmental Protection shall allow a portion of the energy savings  
623 accumulated during any fiscal year to be retained by the agency and  
624 used for future energy costs or energy conservation related activities.  
625 Said portion shall not be less than fifty per cent of the energy savings  
626 and shall accrue to the agency annually for a period equal to the useful  
627 life of the conservation measures.

628 (b) The Commissioner of Energy and Environmental Protection, in  
629 consultation with the Public Utilities Regulatory Authority, shall adopt  
630 regulations, in accordance with chapter 54, to carry out the purposes of  
631 this section.

632 Sec. 14. Section 16a-40k of the general statutes is repealed and the  
633 following is substituted in lieu thereof (*Effective from passage*):

634 (a) The Commissioner of Economic and Community Development  
635 shall establish a home heating system loan fund and make low-cost  
636 loans from such fund for three years to persons in the state residing in  
637 dwellings constructed not later than December 31, 1979, and for which  
638 the primary source of heating since such date has been electricity. Any  
639 such loan may be used to (1) purchase a secondary heating system  
640 using a source of heat other than electricity, or (2) convert a primary  
641 electric heating system to a system using a source of heat other than  
642 electricity.

643 (b) Any loan under subdivision (1) of subsection (a) of this section  
644 shall be not more than two thousand dollars and any loan under  
645 subdivision (2) of said subsection shall be not more than four thousand  
646 dollars. Any loan under said subsection shall be made only to an  
647 applicant who submits evidence, satisfactory to the [commissioner]  
648 Commissioner of Economic and Community Development, that the  
649 adjusted gross income of the household member or members who  
650 contribute to the support of his household was not in excess of forty-  
651 five thousand dollars as an average amount per year in the last two

652 reported filings of income by such household member or members.  
653 Repayment of all loans made under this section shall be subject to such  
654 rate of interest, terms and conditions as the [commissioner]  
655 Commissioner of Economic and Community Development may  
656 establish, provided [the] such commissioner, in consultation with the  
657 Public Utilities Regulatory Authority, shall, not later than July first and  
658 January first, annually, establish a range of rates of interest payable on  
659 all loans to be made during the succeeding six months and shall apply  
660 the range to applicants in accordance with a formula which reflects  
661 their income. Such range shall be not less than zero per cent for any  
662 applicant in the lowest income class and not more than one per cent  
663 above the rate of interest borne by the general obligation bonds of the  
664 state last issued prior to the most recent date such range was  
665 established for any applicant for whom the adjusted gross income of  
666 the household member or members who contribute to support of his  
667 household was at least thirty-three thousand dollars as an average  
668 amount per year in the last two reported filings of income by such  
669 household member or members.

670 (c) Not later than August 1, 1984, the [commissioner] Commissioner  
671 of Economic and Community Development shall calculate an amount  
672 equal to the difference between the rate of interest payable on all loans  
673 made on and after July 1, 1983, and the rate of interest on any  
674 outstanding bonds and notes used to fund such loans, multiplied by  
675 the outstanding amount of all such loans, or such lesser amount as  
676 may be required under Section 103(c) of the Internal Revenue Code of  
677 1986, or any subsequent corresponding internal revenue code of the  
678 United States, as from time to time amended. Such amount shall not  
679 exceed six per cent of the sum of the outstanding principal amount at  
680 the end of each fiscal year of all loans made on or after July 1, 1983,  
681 from the Home Heating System Loan Fund and the amount remaining  
682 in such fund. Not later than September 1, 1984, the Public Utilities  
683 Regulatory Authority shall allocate such amount among each electric  
684 company, as defined in section 16-1, as amended by this act, having at

685 least seventy-five thousand customers in accordance with a formula  
686 taking into account, without limitation, the average number of  
687 residential customers of each company. Not later than October 1, 1984,  
688 each such company shall pay its assessed amount to the  
689 [commissioner. The] Commissioner of Economic and Community  
690 Development. Such commissioner shall pay to the State Treasurer for  
691 deposit in the General Fund all such payments from electric  
692 companies, and shall adopt procedures to assure that such payments  
693 are not used for purposes other than those specifically provided in this  
694 section. The authority shall include each company's payment as an  
695 operating expense of the company for the purposes of rate-making  
696 under section 16-19.

697 (d) The [commissioner] Commissioner of Economic and  
698 Community Development shall adopt regulations, in accordance with  
699 the provisions of chapter 54, (1) concerning qualifications for such  
700 loans, requirements and limitations as to adjustments of terms and  
701 conditions of repayment and any additional requirements deemed  
702 necessary to carry out the provisions of this section and to assure that  
703 any bonds and notes used to fund such loans qualify for exemption  
704 from federal income taxation, (2) providing for the maximum feasible  
705 availability of such loans for dwelling units owned or occupied by  
706 persons of low and moderate income, and (3) establishing procedures  
707 to inform such persons of the availability of such loans and to  
708 encourage and assist them to apply for such loans.

709 (e) Notwithstanding the provisions of subsections (a) to (d),  
710 inclusive, of this section, on and after July 1, 1985, no loans shall be  
711 authorized under said subsections and, not later than July 15, 1985, the  
712 State Treasurer shall terminate the Home Heating System Loan Fund  
713 and transfer the proceeds of such fund to the Energy Conservation  
714 Loan Fund established under section 16a-40a.

715 Sec. 15. Section 22a-66k of the general statutes is repealed and the  
716 following is substituted in lieu thereof (*Effective from passage*):

717 (a) Each electric company, as defined in section 16-1, as amended by  
718 this act, shall submit a utilities pesticide management plan to the  
719 Commissioner of Energy and Environmental Protection for approval  
720 with the concurrence of the Public Utilities Regulatory Authority. A  
721 plan shall be revised at such time as the electric company filing the  
722 plan or the [commissioner] Commissioner of Energy and  
723 Environmental Protection determines provided such plan shall be  
724 revised not less than once every five years.

725 (b) Any electric company, as defined in section 16-1, as amended by  
726 this act, telephone company, as defined in section 16-1, as amended by  
727 this act, or telecommunications company, as defined in section 16-1, as  
728 amended by this act, which provides for the application of a pesticide  
729 within a right-of-way maintained by such company shall ensure that  
730 owners, occupants or tenants of buildings or dwellings that are located  
731 on property which abuts such right-of-way, or property within which  
732 such right-of-way lies, are notified at least forty-eight hours prior to  
733 the application. Notice may be made by any method, including  
734 telephone, mail or personal notification. Any such company which  
735 provides for the application of pesticides in connection with removal  
736 of trees or brush from private property shall obtain the consent of the  
737 owner, occupant or tenant of such property prior to the application.  
738 Notwithstanding the provisions of section 23-65, any such company  
739 which provides for the application of pesticides to any utility pole,  
740 after it has been installed, for purposes of maintaining, preserving or  
741 extending the useful life of the pole shall post notice of such  
742 application on each such pole.

743 (c) The [commissioner] Commissioner of Energy and Environmental  
744 Protection shall adopt regulations in accordance with the provisions of  
745 chapter 54 setting forth the contents of a pesticide management plan.  
746 Such regulations shall include provisions for the on-site posting of a  
747 notice of a pesticide application. A notice required by such regulations  
748 may be posted at the time of or after the application, provided the time  
749 of such posting shall be sufficient to protect persons engaged in a

750 lawful public recreational use of any unimproved real property in  
751 which such application is made.

752 Sec. 16. Subsection (f) of section 22a-198 of the general statutes is  
753 repealed and the following is substituted in lieu thereof (*Effective from*  
754 *passage*):

755 (f) The Commissioner of Energy and Environmental Protection, in  
756 consultation with the chairperson of the Public Utilities Regulatory  
757 Authority, may suspend the prohibition of subsection (b) of this  
758 section for a Title IV source if it is determined that the application of  
759 the prohibition established under subsection (b) of this section  
760 adversely affects the ability to meet the reliability standards, as defined  
761 by the New England Power Pool or its successor organization, and the  
762 suspension thereof is intended to mitigate such reliability problems.  
763 The Commissioner of Energy and Environmental Protection, in  
764 consultation with the chairperson of the Public Utilities Regulatory  
765 Authority, shall specify in writing the reasons for such suspension and  
766 the period of time that such suspension shall be in effect and shall  
767 provide notice of such suspension at the time of issuance, or the next  
768 business day, to the joint standing committees of the General  
769 Assembly having cognizance of matters relating to the environment  
770 and energy and technology. No such waiver shall last more than thirty  
771 days. The [commissioner] Commissioner of Energy and Environmental  
772 Protection may reissue additional waivers for such source after said  
773 initial waiver has expired. Within ten days of receipt of the  
774 commissioner's notice of suspension, the committees having  
775 cognizance of matters relating to the environment and energy and  
776 technology may hold a joint public hearing and meeting of the  
777 committees to either modify or reject the commissioner's suspension  
778 by a majority vote. If the committees do not meet, the commissioner's  
779 suspension shall be deemed approved.

780 Sec. 17. Section 22a-354w of the general statutes is repealed and the  
781 following is substituted in lieu thereof (*Effective from passage*):

782 The Commissioner of Energy and Environmental Protection, in  
783 consultation with the Commissioner of Public Health and the  
784 chairperson of the Public Utilities Regulatory Authority, shall prepare  
785 guidelines for acquisition of lands surrounding existing or proposed  
786 public water supply well fields. In preparing such guidelines the  
787 [commissioner] Commissioner of Energy and Environmental  
788 Protection shall consider economic implications for mandating land  
789 acquisition including, but not limited to, the effect on land values and  
790 the ability of small water companies to absorb the cost of acquisition.

791 Sec. 18. Subsections (c) and (d) of section 22a-368a of the general  
792 statutes are repealed and the following is substituted in lieu thereof  
793 (*Effective from passage*):

794 (c) Any person or municipality maintaining a diversion that was  
795 eligible for registration in accordance with section 22a-368 but failed to  
796 so register, which diversion continues to be in use as of July 1, 2001,  
797 shall report to the [commissioner] Commissioner of Energy and  
798 Environmental Protection the operating data for such diversion not  
799 later than six months after the publication of notice pursuant to  
800 subsection (a) of this section. Such data shall be provided on a form  
801 developed by the Commissioner of Energy and Environmental  
802 Protection, in consultation with the Commissioners of Public Health  
803 and Agriculture and the chairperson of the Public Utilities Regulatory  
804 Authority. Such data shall include (1) the location, capacity, frequency  
805 and rate of withdrawals or discharges of such diversion as of July 1,  
806 1982, (2) a description of the water use and water system on or before  
807 July 1, 1982, including information to evidence its operation at that  
808 time, and (3) the monthly data for the calendar years 1997 to 2001,  
809 inclusive, (A) for the actual frequency and actual rate of water  
810 withdrawals or discharges of such diversion if such diversion is  
811 metered, or (B) that estimates the withdrawals or discharges in the  
812 absence of a meter. A person or municipality maintaining a diversion  
813 exclusively for agricultural purposes may report estimated water use  
814 for the reporting period in subdivision (3) of this subsection.

815 (d) Any person or municipality maintaining a diversion that was  
816 not eligible for registration in accordance with section 22a-368 and is  
817 not currently authorized by permit issued by the [commissioner]  
818 Commissioner of Energy and Environmental Protection pursuant to  
819 said section, which diversion is in use as of July 1, 2001, shall report to  
820 the Commissioner of Energy and Environmental Protection operating  
821 data for the diversion not later than six months after the publication of  
822 notice pursuant to subsection (a) of this section. Such data shall be  
823 provided on a form developed by the Commissioner of Energy and  
824 Environmental Protection, in consultation with the Commissioners of  
825 Public Health and Agriculture and the chairperson of the Public  
826 Utilities Regulatory Authority. Such data shall include (1) information  
827 as to when the diversion was initiated, (2) a description of the water  
828 use and water system operation, and (3) the monthly data for the  
829 calendar years 1997 to 2001, inclusive, (A) for the location, capacity,  
830 actual frequency and actual rate of water withdrawals or discharges of  
831 said diversion if such diversion is metered, or (B) that estimates the  
832 withdrawals or discharges in the absence of a meter. A person or  
833 municipality maintaining a diversion used exclusively for agricultural  
834 purposes may report estimated water use for the reporting period in  
835 subdivision (3) of this subsection.

836 Sec. 19. Section 22a-371 of the general statutes is repealed and the  
837 following is substituted in lieu thereof (*Effective from passage*):

838 (a) Within one hundred eighty days of receipt of an application for a  
839 permit, the [commissioner] Commissioner of Energy and  
840 Environmental Protection shall determine if there is any additional  
841 information that he deems necessary to carry out the purposes of  
842 sections 22a-365 to 22a-378, inclusive, as amended by this act. The  
843 applicant shall provide such information to the commissioner upon  
844 request.

845 (b) If the applicant does not furnish the requested information, the  
846 [commissioner] Commissioner of Energy and Environmental

847 Protection shall publish notice of his tentative determination on the  
848 application in accordance with section 22a-6h and shall hold or waive  
849 a public hearing in accordance with the provisions of subsection (f) of  
850 this section.

851 (c) If the [commissioner] Commissioner of Energy and  
852 Environmental Protection finds that an application is complete, he  
853 shall notify the applicant by certified mail, return receipt requested.  
854 The commissioner shall also notify the applicant of the time, date and  
855 location of any public hearing to be held on the application.

856 (d) Upon notifying the applicant in accordance with subsection (c)  
857 of this section that the application is complete, the [commissioner]  
858 Commissioner of Energy and Environmental Protection shall  
859 immediately provide notice of the application and a concise  
860 description of the proposed diversion to the Governor, the Attorney  
861 General, the speaker of the House of Representatives, the president pro  
862 tempore of the Senate, the Secretary of the Office of Policy and  
863 Management, the Commissioners of Public Health and Economic and  
864 Community Development, the chairperson of the Public Utilities  
865 Regulatory Authority, the chief executive officer and chairmen of the  
866 conservation commission and wetlands agency of the municipality or  
867 municipalities in which the proposed diversion will take place or have  
868 effect, and any person who has requested notice of such activities.

869 (e) As used in this section, "municipality" means a city, town or  
870 borough of the state.

871 (f) The [commissioner] Commissioner of Energy and Environmental  
872 Protection shall hold a public hearing before approving or denying an  
873 application, except that, when the commissioner determines that the  
874 proposed diversion (1) is necessary, (2) will not significantly affect  
875 long-range water resource management or the environment, and (3)  
876 will not impair proper management and use of the water resources of  
877 the state, he may waive the requirement for a hearing after publishing

878 notice of his tentative decision regarding the application and of his  
879 intent to waive the requirement for a hearing in a newspaper having  
880 general circulation in the area where the proposed diversion will take  
881 place or have effect; provided the [commissioner] Commissioner of  
882 Energy and Environmental Protection shall hold a hearing upon  
883 receipt, within thirty days after such notice is published or mailed, of a  
884 petition signed by at least twenty-five persons. If a hearing is to be  
885 held, the commissioner, at the applicant's expense, shall (A) cause  
886 notice of the time, date and location of the commencement of the  
887 hearing, a concise description of the proposed diversion, and the  
888 commissioner's tentative determination regarding the application to be  
889 published not less than thirty days prior to the commencement of the  
890 hearing in a newspaper having a general circulation in the area where  
891 the proposed diversion will take place or have effect, and (B) provide  
892 the same notice to the officials listed in subsection (d) of this section  
893 not less than thirty days prior to the commencement of the hearing.

894 Sec. 20. Section 22a-475 of the general statutes is repealed and the  
895 following is substituted in lieu thereof (*Effective from passage*):

896 As used in this section and sections 22a-476 to 22a-483, inclusive, as  
897 amended by this act, the following terms shall have the following  
898 meanings unless the context clearly indicates a different meaning or  
899 intent:

900 (1) "Bond anticipation note" means a note issued by a municipality  
901 in anticipation of the receipt of the proceeds of a project loan obligation  
902 or a grant account loan obligation.

903 (2) "Clean Water Fund" means the fund created under section 22a-  
904 477.

905 (3) "Combined sewer projects" means any project undertaken to  
906 mitigate pollution due to combined sewer and storm drain systems,  
907 including, but not limited to, components of regional water pollution  
908 control facilities undertaken to prevent the overflow of untreated

909 wastes due to collection system inflow, provided the state share of the  
910 cost of such components is less than the state share of the estimated  
911 cost of eliminating such inflow by means of physical separation at the  
912 sources of such inflow.

913 (4) "Commissioner" means the Commissioner of Energy and  
914 Environmental Protection.

915 (5) "Department" means the Department of Energy and  
916 Environmental Protection.

917 (6) "Disadvantaged communities" means the service area of a public  
918 water system that meets affordability criteria established by the Office  
919 of Policy and Management in accordance with applicable federal  
920 regulations.

921 (7) "Drinking water federal revolving loan account" means the  
922 drinking water federal revolving loan account of the Clean Water Fund  
923 created under section 22a-477.

924 (8) "Drinking water state account" means the drinking water state  
925 account of the Clean Water Fund created under section 22a-477.

926 (9) "Eligible drinking water project" means the planning, design,  
927 development, construction, repair, extension, improvement,  
928 remodeling, alteration, rehabilitation, reconstruction or acquisition of  
929 all or a portion of a public water system approved by the  
930 Commissioner of Public Health, under sections 22a-475 to 22a-483,  
931 inclusive, as amended by this act.

932 (10) "Eligible project" means an eligible drinking water project or an  
933 eligible water quality project, as applicable.

934 (11) "Eligible water quality project" means the planning, design,  
935 development, construction, repair, extension, improvement,  
936 remodeling, alteration, rehabilitation, reconstruction or acquisition of a  
937 water pollution control facility approved by the [commissioner]

938 Commissioner of Energy and Environmental Protection under sections  
939 22a-475 to 22a-483, inclusive, as amended by this act.

940 (12) "Eligible project costs" means the total costs of an eligible  
941 project which are determined by (A) the [commissioner]  
942 Commissioner of Energy and Environmental Protection, or (B) if the  
943 project is an eligible drinking water project, the Commissioner of  
944 Public Health, and in consultation with the Public Utilities Regulatory  
945 Authority when the recipient is a water company, as defined in section  
946 16-1, as amended by this act, to be necessary and reasonable. The total  
947 costs of a project may include the costs of all labor, materials,  
948 machinery and equipment, lands, property rights and easements,  
949 interest on project loan obligations and bond anticipation notes,  
950 including costs of issuance approved by the [commissioner]  
951 Commissioner of Energy and Environmental Protection or by the  
952 Commissioner of Public Health if the project is an eligible drinking  
953 water project, plans and specifications, surveys or estimates of costs  
954 and revenues, engineering and legal services, auditing and  
955 administrative expenses, and all other expenses approved by the  
956 [commissioner] Commissioner of Energy and Environmental  
957 Protection or by the Commissioner of Public Health if the project is an  
958 eligible drinking water project, which are incident to all or part of an  
959 eligible project.

960 (13) "Eligible public water system" means a water company, as  
961 defined in section 25-32a, serving twenty-five or more persons or  
962 fifteen or more service connections year round and nonprofit  
963 noncommunity water systems.

964 (14) "Grant account loan" means a loan to a municipality by the state  
965 from the water pollution control state account of the Clean Water  
966 Fund.

967 (15) "Grant account loan obligation" means bonds or other  
968 obligations issued by a municipality to evidence the permanent

969 financing by such municipality of its indebtedness under a project  
970 funding agreement with respect to a grant account loan, made payable  
971 to the state for the benefit of the water pollution control state account  
972 of the Clean Water Fund and containing such terms and conditions  
973 and being in such form as may be approved by the commissioner.

974 (16) "Grant anticipation note" means any note or notes issued in  
975 anticipation of the receipt of a project grant.

976 (17) "Interim funding obligation" means any bonds or notes issued  
977 by a recipient in anticipation of the issuance of project loan obligations,  
978 grant account loan obligations or the receipt of project grants.

979 (18) "Intended use plan" means a document if required, prepared by  
980 the Commissioner of Public Health, in accordance with section 22a-  
981 478.

982 (19) "Municipality" means any metropolitan district, town,  
983 consolidated town and city, consolidated town and borough, city,  
984 borough, village, fire and sewer district, sewer district or public  
985 authority and each municipal organization having authority to levy  
986 and collect taxes or make charges for its authorized function.

987 (20) "Pollution abatement facility" means any equipment, plant,  
988 treatment works, structure, machinery, apparatus or land, or any  
989 combination thereof, which is acquired, used, constructed or operated  
990 for the storage, collection, reduction, recycling, reclamation, disposal,  
991 separation or treatment of water or wastes, or for the final disposal of  
992 residues resulting from the treatment of water or wastes, and includes,  
993 but is not limited to: Pumping and ventilating stations, facilities, plants  
994 and works; outfall sewers, interceptor sewers and collector sewers; and  
995 other real or personal property and appurtenances incident to their use  
996 or operation.

997 (21) "Priority list of eligible drinking water projects" means the  
998 priority list of eligible drinking water projects established by the

999 Commissioner of Public Health in accordance with the provisions of  
1000 sections 22a-475 to 22a-483, inclusive, as amended by this act.

1001 (22) "Priority list of eligible projects" means the priority list of  
1002 eligible drinking water projects or the priority list of eligible water  
1003 quality projects, as applicable.

1004 (23) "Priority list of eligible water quality projects" means the  
1005 priority list of eligible water quality projects established by the  
1006 [commissioner] Commissioner of Energy and Environmental  
1007 Protection in accordance with the provisions of sections 22a-475 to 22a-  
1008 483, inclusive, as amended by this act.

1009 (24) "Program" means the municipal water quality financial  
1010 assistance program, including the drinking water financial assistance  
1011 program, created under sections 22a-475 to 22a-483, inclusive, as  
1012 amended by this act.

1013 (25) "Project grant" means a grant made to a municipality by the  
1014 state from the water pollution control state account of the Clean Water  
1015 Fund or the Long Island Sound clean-up account of the Clean Water  
1016 Fund.

1017 (26) "Project loan" means a loan made to a recipient by the state  
1018 from the Clean Water Fund.

1019 (27) "Project funding agreement" means a written agreement  
1020 between the state, acting by and through the [commissioner]  
1021 Commissioner of Energy and Environmental Protection or, if the  
1022 project is an eligible drinking water project, acting by and through the  
1023 Commissioner of Public Health, in consultation with the Public  
1024 Utilities Regulatory Authority when the recipient is a water company,  
1025 as defined in section 16-1, as amended by this act, and a recipient with  
1026 respect to a project grant, a grant account loan and a project loan as  
1027 provided under sections 22a-475 to 22a-483, inclusive, as amended by  
1028 this act, and containing such terms and conditions as may be approved

1029 by the [commissioner] Commissioner of Energy and Environmental  
1030 Protection or, if the project is an eligible drinking water project, by the  
1031 Commissioner of Public Health.

1032 (28) "Project obligation" or "project loan obligation" means bonds or  
1033 other obligations issued by a recipient to evidence the permanent  
1034 financing by such recipient of its indebtedness under a project funding  
1035 agreement with respect to a project loan, made payable to the state for  
1036 the benefit of the water pollution control federal revolving loan  
1037 account, the drinking water federal revolving loan account or the  
1038 drinking water state account, as applicable, of the Clean Water Fund  
1039 and containing such terms and conditions and being in such form as  
1040 may be approved by the [commissioner] Commissioner of Energy and  
1041 Environmental Protection or, if the project is an eligible drinking water  
1042 project, by the Commissioner of Public Health.

1043 (29) "Public water system" means a public water system, as defined  
1044 for purposes of the federal Safe Drinking Water Act, as amended or  
1045 superseded.

1046 (30) "Recipient" means a municipality or eligible public water  
1047 system, as applicable.

1048 (31) "State bond anticipation note" means any note or notes issued  
1049 by the state in anticipation of the issuance of bonds.

1050 (32) "State grant anticipation note" means any note or notes issued  
1051 by the state in anticipation of the receipt of federal grants.

1052 (33) "Water pollution control facility" means a pollution abatement  
1053 facility which stores, collects, reduces, recycles, reclaims, disposes of,  
1054 separates or treats sewage, or disposes of residues from the treatment  
1055 of sewage.

1056 (34) "Water pollution control state account" means the water  
1057 pollution control state account of the Clean Water Fund created under

1058 section 22a-477.

1059 (35) "Water pollution control federal revolving loan account" means  
1060 the water pollution control federal revolving loan account of the Clean  
1061 Water Fund created under section 22a-477.

1062 (36) "Long Island Sound clean-up account" means the Long Island  
1063 Sound clean-up account created under section 22a-477.

1064 Sec. 21. Section 22a-479 of the general statutes is repealed and the  
1065 following is substituted in lieu thereof (*Effective from passage*):

1066 (a) A municipality may authorize and approve (1) the execution and  
1067 delivery of project funding agreements, and (2) the issuance and sale of  
1068 project obligations, grant account loan obligations and interim funding  
1069 obligations, in accordance with such statutory and charter  
1070 requirements as govern the authorization and approval of borrowings  
1071 and the making of contracts generally by the municipality or in  
1072 accordance with the provisions of subsection (e) of this section. Project  
1073 loan obligations, grant account loan obligations and interim funding  
1074 obligations shall be duly executed and accompanied by an approving  
1075 legal opinion of bond counsel of recognized standing in the field of  
1076 municipal law whose opinions are generally accepted by purchasers of  
1077 municipal bonds and shall be subject to the debt limitation provisions  
1078 of section 7-374; except that project loan obligations, grant account loan  
1079 obligations and interim funding obligations issued in order to meet the  
1080 requirements of any abatement order of the [commissioner]  
1081 Commissioner of Energy and Environmental Protection shall not be  
1082 subject to the debt limitation provisions of section 7-374, provided the  
1083 municipality files a certificate, signed by its chief fiscal officer, with the  
1084 commissioner demonstrating to the satisfaction of the commissioner  
1085 that the municipality has a plan for levying a system of charges,  
1086 assessments or other revenues which are sufficient, together with other  
1087 available funds of the municipality, to repay such obligations as the  
1088 same become due and payable.

1089 (b) Each recipient which enters into a project funding agreement  
1090 shall protect, defend and hold harmless the state, its agencies,  
1091 departments, agents and employees from and against any and all  
1092 claims, suits, actions, demands, costs and damages arising from or in  
1093 connection with the performance or nonperformance by the recipient,  
1094 or any of its officers, employees or agents, of the recipient's obligations  
1095 under any project funding agreement as such project funding  
1096 agreement may be amended or supplemented from time to time. Each  
1097 such recipient may insure against the liability imposed by this  
1098 subsection through any insurance company organized within or  
1099 without this state authorized to write such insurance in this state or  
1100 may elect to act as self-insurer of such liability, provided such  
1101 indemnity shall not be limited by any such insurance coverage.

1102 (c) Whenever a recipient has entered into a project funding  
1103 agreement and has authorized the issuance of project loan obligations  
1104 or grant account loan obligations, it may authorize the issuance of  
1105 interim funding obligations. Proceeds from the issuance and sale of  
1106 interim funding obligations shall be used to temporarily finance an  
1107 eligible project pending receipt of the proceeds of a project loan  
1108 obligation, a grant account loan obligation or project grant. Such  
1109 interim funding obligations may be issued and sold to the state for the  
1110 benefit of the Clean Water Fund or issued and sold to any other lender  
1111 on such terms and in such manner as shall be determined by a  
1112 recipient. Such interim funding obligations may be renewed from time  
1113 to time by the issuance of other notes, provided the final maturity of  
1114 such notes shall not exceed six months from the date of completion of  
1115 the planning and design phase or the construction phase, as applicable,  
1116 of an eligible project, as determined by the [commissioner]  
1117 Commissioner of Energy and Environmental Protection or, if the  
1118 project is an eligible drinking water project, by the Commissioner of  
1119 Public Health. Such notes and any renewals of a municipality shall not  
1120 be subject to the requirements and limitations set forth in sections 7-  
1121 378, 7-378a and 7-264. The provisions of section 7-374 shall apply to

1122 such notes and any renewals thereof of a municipality; except that  
1123 project loan obligations, grant account loan obligations and interim  
1124 funding obligations issued in order to meet the requirements of an  
1125 abatement order of the [commissioner] Commissioner of Energy and  
1126 Environmental Protection shall not be subject to the debt limitation  
1127 provisions of section 7-374, provided the municipality files a certificate,  
1128 signed by its chief fiscal officer, with the commissioner demonstrating  
1129 to the satisfaction of the commissioner that the municipality has a plan  
1130 for levying a system of charges, assessments or other revenues  
1131 sufficient, together with other available funds of the municipality, to  
1132 repay such obligations as the same become due and payable. The  
1133 officer or agency authorized by law or by vote of the recipient to issue  
1134 such interim funding obligations shall, within any limitation imposed  
1135 by such law or vote, determine the date, maturity, interest rate, form,  
1136 manner of sale and other details of such obligations. Such obligations  
1137 may bear interest or be sold at a discount and the interest or discount  
1138 on such obligations, including renewals thereof, and the expense of  
1139 preparing, issuing and marketing them may be included as a part of  
1140 the cost of an eligible project. Upon the issuance of a project loan  
1141 obligation or grant account loan obligation, the proceeds thereof, to the  
1142 extent required, shall be applied forthwith to the payment of the  
1143 principal of and interest on all interim funding obligations issued in  
1144 anticipation thereof and upon receipt of a project grant, the proceeds  
1145 thereof, to the extent required, shall be applied forthwith to the  
1146 payment of the principal of and interest on all grant anticipation notes  
1147 issued in anticipation thereof or, in either case, shall be deposited in  
1148 trust for such purpose with a bank or trust company, which may be the  
1149 bank or trust company, if any, at which such obligations are payable.

1150 (d) Project loan obligations, grant account loan obligations, interim  
1151 funding obligations or any obligation of a municipality that satisfies  
1152 the requirements of Title VI of the federal Water Pollution Control Act  
1153 or the federal Safe Drinking Water Act or other related federal act may,  
1154 as determined by the [commissioner] Commissioner of Energy and

1155 Environmental Protection or, if the project is an eligible drinking water  
1156 project, by the Commissioner of Public Health, be general obligations  
1157 of the issuing municipality and in such case each such obligation shall  
1158 recite that the full faith and credit of the issuing municipality are  
1159 pledged for the payment of the principal thereof and interest thereon.  
1160 To the extent a municipality is authorized pursuant to sections 22a-475  
1161 to 22a-483, inclusive, as amended by this act, to issue project loan  
1162 obligations or interim funding obligations, such obligations may be  
1163 secured by a pledge of revenues and other funds derived from its  
1164 sewer system or public water supply system, as applicable. Each  
1165 pledge and agreement made for the benefit or security of any of such  
1166 obligations shall be in effect until the principal of, and interest on, such  
1167 obligations have been fully paid, or until provision has been made for  
1168 payment in the manner provided in the resolution authorizing their  
1169 issuance or in the agreement for the benefit of the holders of such  
1170 obligations. In any such case, such pledge shall be valid and binding  
1171 from the time when such pledge is made. Any revenues or other  
1172 receipts, funds or moneys so pledged and thereafter received by the  
1173 municipality shall immediately be subject to the lien of such pledge  
1174 without any physical delivery thereof or further act. The lien of any  
1175 such pledge shall be valid and binding as against all parties having  
1176 claims of any kind in tort, contract or otherwise against the  
1177 municipality, irrespective of whether such parties have notice thereof.  
1178 Neither the project loan obligation, interim funding obligation, project  
1179 funding agreement nor any other instrument by which a pledge is  
1180 created need be recorded. All securities or other investments of  
1181 moneys of the state permitted or provided for under sections 22a-475  
1182 to 22a-483, inclusive, as amended by this act, may, upon the  
1183 determination of the State Treasurer, be purchased and held in fully  
1184 marketable form, subject to provision for any registration in the name  
1185 of the state. Securities or other investments at any time purchased,  
1186 held or owned by the state may, upon the determination of the State  
1187 Treasurer and upon delivery to the state, be accompanied by such  
1188 documentation, including approving bond opinion, certification and

1189 guaranty as to signatures and certification as to absence of litigation,  
1190 and such other or further documentation as shall from time to time be  
1191 required in the municipal bond market or required by the state.

1192 (e) Notwithstanding the provisions of the general statutes, any  
1193 special act or any municipal charter governing the authorization of  
1194 bonds, notes or obligations or the appropriation of funds, or governing  
1195 the application for, and expenditure of, grants or loans, or governing  
1196 the authorization of contracts or financing agreements or governing  
1197 the pledging of sewer or water revenues or funds, a municipality may,  
1198 by resolution approved by its legislative body and by (1) its water  
1199 pollution control authority or sewer authority, if any, authorize a  
1200 project loan and project grant agreement between the municipality and  
1201 the state pursuant to sections 22a-475 to 22a-483, inclusive, as amended  
1202 by this act, and appropriate funds and authorize project loan  
1203 obligations and interim funding obligations of the municipality paid  
1204 and secured solely by a pledge of revenues, funds and moneys of the  
1205 municipality and the water pollution control authority or sewer  
1206 authority, if any, derived from its sewer system, to pay for and finance  
1207 the total project costs of an eligible water quality project, pursuant to a  
1208 project loan and project grant agreement between the municipality and  
1209 the state pursuant to sections 22a-475 to 22a-483, inclusive, as amended  
1210 by this act, or (2) by its water authority, if any, authorize a project loan  
1211 and project grant agreement between the municipality and the state  
1212 pursuant to sections 22a-475 to 22a-483, inclusive, as amended by this  
1213 act, and appropriate funds and authorize project loan obligations and  
1214 interim funding obligations of the municipality paid and secured  
1215 solely by a pledge of revenues, funds and moneys of the municipality  
1216 and the water authority, if any, derived from its public water supply  
1217 system, to pay for and finance the total project costs of an eligible  
1218 water quality project, pursuant to a project loan agreement between  
1219 the municipality and the state pursuant to sections 22a-475 to 22a-483,  
1220 inclusive, as amended by this act. The provisions of chapter 103 shall  
1221 apply to the obligations authorized by this section, to the extent such

1222 section is not inconsistent with this subsection. A project loan and  
1223 project grant agreement authorized by such resolution may contain  
1224 covenants and agreements with respect to, and may pledge the  
1225 revenues, funds and moneys derived from, the sewer system or public  
1226 water system to secure such project loan obligations and interim  
1227 funding obligations, including, but not limited to, covenants and  
1228 agreements with respect to holding or depositing such revenues, funds  
1229 and moneys in separate accounts and agreements described in section  
1230 7-266. As used in this subsection, "legislative body" means (A) the  
1231 board of selectmen in a town that does not have a charter, special act  
1232 or home rule ordinance relating to its government, (B) the council,  
1233 board of aldermen, representative town meeting, board of selectmen or  
1234 other elected legislative body described in a charter, special act or  
1235 home rule ordinance relating to government in a city, consolidated  
1236 town and city, consolidated town and borough or a town having a  
1237 charter, special act, consolidation ordinance or home rule ordinance  
1238 relating to its government, (C) the board of burgesses or other elected  
1239 legislative body in a borough, or (D) the district committee or other  
1240 elected legislative body in a district, metropolitan district or other  
1241 municipal corporation.

1242 (f) Any recipient which is not a municipality shall execute and  
1243 deliver project loan obligations and interim financing obligations in  
1244 accordance with applicable law and in such form and with such  
1245 requirements as may be determined by the [commissioner]  
1246 Commissioner of Energy and Environmental Protection or by the  
1247 Commissioner of Public Health if the project is an eligible drinking  
1248 water project. The Commissioner of Public Health and the Public  
1249 Utilities Regulatory Authority as required by section 16-19e, as  
1250 amended by this act, shall review and approve all costs that are  
1251 necessary and reasonable prior to the award of the project funding  
1252 agreement with respect to an eligible drinking water project. The  
1253 Public Utilities Regulatory Authority, where appropriate, shall include  
1254 these costs in the recipient's rate structure in accordance with section

1255 16-19e, as amended by this act.

1256 Sec. 22. Subsection (d) of section 25-32d of the general statutes is  
1257 repealed and the following is substituted in lieu thereof (*Effective from*  
1258 *passage*):

1259 (d) The Commissioner of Public Health, in consultation with the  
1260 Commissioner of Energy and Environmental Protection and the Public  
1261 Utilities Regulatory Authority, shall adopt regulations in accordance  
1262 with the provisions of chapter 54. Such regulations shall include a  
1263 method for calculating safe yield, the contents of emergency  
1264 contingency plans and water conservation plans, the contents of an  
1265 evaluation of source water protection measures, a process for  
1266 approval, modification or rejection of plans submitted pursuant to this  
1267 section, a schedule for submission of the plans and a mechanism for  
1268 determining the completeness of the plan. The plan shall be deemed  
1269 complete if the [commissioner] Commissioner of Public Health does  
1270 not request additional information within ninety days after the date on  
1271 which the plan was submitted or, in the event that additional  
1272 information has been requested, within forty-five days after the  
1273 submission of such information, except that the commissioner may  
1274 request an additional thirty days beyond the time in which the  
1275 application is deemed complete to further determine completeness. In  
1276 determining whether the water supply plan is complete, the  
1277 commissioner may request only information that is specifically  
1278 required by regulation. The Department of Energy and Environmental  
1279 Protection and the Public Utilities Regulatory Authority, in the case of  
1280 any plan which may impact any water company regulated by that  
1281 agency, shall have ninety days upon notice that a plan is deemed  
1282 complete to comment on the plan.

1283 Sec. 23. Section 25-33e of the general statutes is repealed and the  
1284 following is substituted in lieu thereof (*Effective from passage*):

1285 (a) Not more than six months after July 1, 1985, the Commissioner of

1286 Public Health, in consultation with the Public Utilities Regulatory  
1287 Authority, the Commissioner of Energy and Environmental Protection  
1288 and the Secretary of the Office of Policy and Management, shall  
1289 delineate the preliminary boundaries of public water supply  
1290 management areas and establish preliminary priorities for initiation in  
1291 such areas of the planning process established in sections 25-33f to 25-  
1292 33h, inclusive. Not more than one year after July 1, 1985, the  
1293 [commissioner] Commissioner of Public Health, after a hearing, shall  
1294 delineate the final boundaries of such areas. In making such  
1295 delineation, the commissioner shall consider the following: (1) The  
1296 similarity of water supply problems among water companies  
1297 operating in the preliminary management area; (2) population density  
1298 and distribution in the area; (3) the location of existing sources of  
1299 public water supply, service areas or franchise areas; (4) existing  
1300 interconnections between public water systems; (5) municipal and  
1301 regional planning agency boundaries; (6) natural drainage basins; (7)  
1302 topographic and geologic characteristics; and (8) any other factor he  
1303 deems relevant.

1304 (b) Not more than one year after July 1, 1985, the [commissioner]  
1305 Commissioner of Public Health, after hearing, shall establish the final  
1306 priorities, for initiation of the planning process. In establishing such  
1307 priorities, the commissioner shall consider the existence and severity of  
1308 the following in each management area: (1) Uncoordinated planning,  
1309 (2) inadequate water supply, (3) unreliable water service, and (4) any  
1310 other factor he deems relevant.

1311 Sec. 24. Subsection (d) of section 25-33l of the general statutes is  
1312 repealed and the following is substituted in lieu thereof (*Effective from*  
1313 *passage*):

1314 (d) The water company desiring to acquire the interest in the source,  
1315 potential source or abandoned source of water supply shall acquire  
1316 such interest within twelve months of the determination by the  
1317 [commissioner] Commissioner of Public Health of which water

1318 company shall be allowed to acquire such source. If the rates of the  
1319 water company acquiring such source are regulated by the Public  
1320 Utilities Regulatory Authority, the source acquired may be included in  
1321 the rate base of such company at the acquisition price.

1322 Sec. 25. Section 25-37e of the general statutes is repealed and the  
1323 following is substituted in lieu thereof (*Effective from passage*):

1324 Within sixty days after the receipt of a complete permit application,  
1325 the Commissioner of Public Health shall issue a written decision  
1326 granting or denying the permit and setting forth the reasons for his  
1327 decision, provided, if the commissioner has utilized the services of a  
1328 consultant or a professional review team as provided for by section 25-  
1329 37d, such consultant or review team shall submit to said  
1330 commissioner, within ninety days of his receipt of such application, a  
1331 written report of its findings, and said commissioner shall issue his  
1332 decision within one hundred twenty days of his receipt of such  
1333 application or within one hundred sixty-five days of the initial  
1334 submission of the application. The [commissioner] Commissioner of  
1335 Public Health shall forward a copy of his decision to the applicant, the  
1336 Public Utilities Regulatory Authority, the Department of Energy and  
1337 Environmental Protection and the chief executive officer of the town in  
1338 which the land is located. If no decision is issued within one hundred  
1339 twenty days after receipt of a complete application or within one  
1340 hundred sixty-five days of the initial submission of the application, the  
1341 applicant may submit a written request to the [commissioner]  
1342 Commissioner of Public Health to issue the permit. If the  
1343 commissioner does not issue a decision within forty-five days after the  
1344 submission of such a request, the permit shall be deemed to have been  
1345 granted.

1346 Sec. 26. Subsection (c) of section 28-24 of the general statutes is  
1347 repealed and the following is substituted in lieu thereof (*Effective from*  
1348 *passage*):

1349 (c) Within a time period determined by the [commissioner]  
1350 Commissioner of Emergency Services and Public Protection to ensure  
1351 the availability of funds for the fiscal year beginning July 1, 1997, to the  
1352 regional public safety emergency telecommunications centers within  
1353 the state, and not later than April first of each year thereafter, the  
1354 commissioner shall determine the amount of funding needed for the  
1355 development and administration of the enhanced emergency 9-1-1  
1356 program. The commissioner shall specify the expenses associated with  
1357 (1) the purchase, installation and maintenance of new public safety  
1358 answering point terminal equipment, (2) the implementation of the  
1359 subsidy program, as described in subdivision (2) of subsection (a) of  
1360 this section, (3) the implementation of the transition grant program,  
1361 described in subdivision (2) of subsection (a) of this section, (4) the  
1362 implementation of the regional emergency telecommunications service  
1363 credit, as described in subdivision (2) of subsection (a) of this section,  
1364 provided, for the fiscal year ending June 30, 2001, and each fiscal year  
1365 thereafter, such credit for coordinated medical emergency direction  
1366 services as provided in regulations adopted under this section shall be  
1367 based upon the factor of thirty cents per capita and shall not be  
1368 reduced each year, (5) the training of personnel, as necessary, (6)  
1369 recurring expenses and future capital costs associated with the  
1370 telecommunications network used to provide emergency 9-1-1 service  
1371 and the public safety services data networks, (7) for the fiscal year  
1372 ending June 30, 2001, and each fiscal year thereafter, the collection,  
1373 maintenance and reporting of emergency medical services data, as  
1374 required under subparagraph (A) of subdivision (8) of section 19a-177,  
1375 provided the amount of expenses specified under this subdivision  
1376 shall not exceed two hundred fifty thousand dollars in any fiscal year,  
1377 (8) for the fiscal year ending June 30, 2001, and each fiscal year  
1378 thereafter, the initial training of emergency medical dispatch  
1379 personnel, the provision of an emergency medical dispatch priority  
1380 reference card set and emergency medical dispatch training and  
1381 continuing education pursuant to subdivisions (3) and (4) of  
1382 subsection (g) of section 28-25b, (9) the administration of the enhanced

1383 emergency 9-1-1 program by the Office of State-Wide Emergency  
 1384 Telecommunications, as the [commissioner] Commissioner of  
 1385 Emergency Services and Public Protection determines to be reasonably  
 1386 necessary, and (10) the implementation and maintenance of the public  
 1387 safety data network established pursuant to section 29-1j. The  
 1388 [commissioner] Commissioner of Emergency Services and Public  
 1389 Protection shall communicate [the commissioner's] his or her findings  
 1390 to the Public Utilities Regulatory Authority not later than April first of  
 1391 each year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-1(a)(2)
Sec. 2	<i>from passage</i>	16-1(a)(52)
Sec. 3	<i>from passage</i>	16-2
Sec. 4	<i>from passage</i>	16-3
Sec. 5	<i>from passage</i>	16-6b
Sec. 6	<i>from passage</i>	16-7
Sec. 7	<i>from passage</i>	16-19e
Sec. 8	<i>from passage</i>	16-245ee
Sec. 9	<i>from passage</i>	16-2c
Sec. 10	<i>from passage</i>	16a-3a
Sec. 11	<i>from passage</i>	16a-3d
Sec. 12	<i>from passage</i>	16a-13b
Sec. 13	<i>from passage</i>	16a-37c
Sec. 14	<i>from passage</i>	16a-40k
Sec. 15	<i>from passage</i>	22a-66k
Sec. 16	<i>from passage</i>	22a-198(f)
Sec. 17	<i>from passage</i>	22a-354w
Sec. 18	<i>from passage</i>	22a-368a(c) and (d)
Sec. 19	<i>from passage</i>	22a-371
Sec. 20	<i>from passage</i>	22a-475
Sec. 21	<i>from passage</i>	22a-479
Sec. 22	<i>from passage</i>	25-32d(d)
Sec. 23	<i>from passage</i>	25-33e
Sec. 24	<i>from passage</i>	25-33l(d)
Sec. 25	<i>from passage</i>	25-37e

Sec. 26	<i>from passage</i>	28-24(c)
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**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.]*