



# House of Representatives

**File No. 689**

General Assembly

February Session, 2014

**(Reprint of File No. 365)**

Substitute House Bill No. 5115  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
April 28, 2014

**AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO AND  
REPEAL OF OBSOLETE PROVISIONS OF ENERGY AND  
TECHNOLOGY STATUTES.**

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

1 Section 1. Subsection (a) of section 16-1 of the 2014 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (a) Terms used in this title and in chapters 244, 244a, 244b, 245, 245a  
5 and 245b shall be construed as follows, unless another meaning is  
6 expressed or is clearly apparent from the language or context:

7 (1) "Authority" means the Public Utilities Regulatory Authority and  
8 "department" means the Department of Energy and Environmental  
9 Protection;

10 (2) "Utility commissioner" means a member of the Public Utilities  
11 Regulatory Authority;

12 [(3) "Commissioner of Transportation" means the Commissioner of

13 Transportation appointed under section 13b-3;]

14 [(4)] (3) "Public service company" includes [electric,] electric  
15 distribution, gas, telephone, [telegraph,] pipeline, sewage, water and  
16 community antenna television companies and holders of a certificate  
17 of cable franchise authority, owning, leasing, maintaining, operating,  
18 managing or controlling plants or parts of plants or equipment, [and  
19 all express companies having special privileges on railroads within this  
20 state,] but shall not include [telegraph company functions concerning  
21 intrastate money order service,] towns, cities, boroughs, any municipal  
22 corporation or department thereof, whether separately incorporated or  
23 not, a private power producer, as defined in section 16-243b, or an  
24 exempt wholesale generator, as defined in 15 USC 79z-5a;

25 [(5)] (4) "Plant" includes all real estate, buildings, tracks, pipes,  
26 mains, poles, wires and other fixed or stationary construction and  
27 equipment, wherever located, used in the conduct of the business of  
28 the company;

29 [(6)] "Railroad company" includes every person owning, leasing,  
30 maintaining, operating, managing or controlling any railroad, or any  
31 cars or other equipment employed thereon or in connection therewith,  
32 for public or general use within this state;

33 (7) "Street railway company" includes every person owning, leasing,  
34 maintaining, operating, managing or controlling any street railway, or  
35 any cars or other equipment employed thereon or in connection  
36 therewith, for public or general use within this state;

37 (8) "Electric company" includes, until an electric company has been  
38 unbundled in accordance with the provisions of section 16-244e, every  
39 person owning, leasing, maintaining, operating, managing or  
40 controlling poles, wires, conduits or other fixtures, along public  
41 highways or streets, for the transmission or distribution of electric  
42 current for sale for light, heat or power within this state, or engaged in  
43 generating electricity to be so transmitted or distributed for such  
44 purpose, but shall not include (A) a private power producer, as

45 defined in section 16-243b, (B) an exempt wholesale generator, as  
46 defined in 15 USC 79z-5a, (C) a municipal electric utility established  
47 under chapter 101, (D) a municipal electric energy cooperative  
48 established under chapter 101a, (E) an electric cooperative established  
49 under chapter 597, (F) any other electric utility owned, leased,  
50 maintained, operated, managed or controlled by any unit of local  
51 government under any general statute or any public or special act, (G)  
52 an entity approved to submeter pursuant to section 16-19ff, or (H) a  
53 municipality, state or federal governmental entity authorized to  
54 distribute electricity across a public highway or street pursuant to  
55 section 16-243aa;]

56 [(9)] (5) "Gas company" includes every person owning, leasing,  
57 maintaining, operating, managing or controlling mains, pipes or other  
58 fixtures, in public highways or streets, for the transmission or  
59 distribution of gas for sale for heat or power within this state, or  
60 engaged in the manufacture of gas to be so transmitted or distributed  
61 for such purpose, but shall not include (A) a person manufacturing gas  
62 through the use of a biomass gasification plant provided such person  
63 does not own, lease, maintain, operate, manage or control mains, pipes  
64 or other fixtures in public highways or streets, (B) a municipal gas  
65 utility established under chapter 101 or any other gas utility owned,  
66 leased, maintained, operated, managed or controlled by any unit of  
67 local government under any general statute or any public or special  
68 act, or (C) an entity approved to submeter pursuant to section 16-19ff,  
69 as amended by this act;

70 [(10)] (6) "Water company" includes every person owning, leasing,  
71 maintaining, operating, managing or controlling any pond, lake,  
72 reservoir, stream, well or distributing plant or system employed for  
73 the purpose of supplying water to fifty or more consumers. A water  
74 company does not include homeowners, condominium associations  
75 providing water only to their members, homeowners associations  
76 providing water to customers at least eighty per cent of whom are  
77 members of such associations, a municipal waterworks system  
78 established under chapter 102, a district, metropolitan district,

79 municipal district or special services district established under chapter  
80 105, chapter 105a or any other general statute or any public or special  
81 act which is authorized to supply water, or any other waterworks  
82 system owned, leased, maintained, operated, managed or controlled  
83 by any unit of local government under any general statute or any  
84 public or special act;

85 [(11)] (7) "Consumer" means any private dwelling, boardinghouse,  
86 apartment, store, office building, institution, mechanical or  
87 manufacturing establishment or other place of business or industry to  
88 which water is supplied by a water company;

89 [(12)] (8) "Sewage company" includes every person owning, leasing,  
90 maintaining, operating, managing or controlling, for general use in any  
91 town, city or borough, or portion thereof, in this state, sewage disposal  
92 facilities which discharge treated effluent into any waterway of this  
93 state;

94 [(13)] (9) "Pipeline company" includes every person owning, leasing,  
95 maintaining, operating, managing or controlling mains, pipes or other  
96 fixtures through, over, across or under any public land, water,  
97 parkways, highways, parks or public grounds for the transportation,  
98 transmission or distribution of petroleum products for hire within this  
99 state;

100 [(14)] (10) "Community antenna television company" includes every  
101 person owning, leasing, maintaining, operating, managing or  
102 controlling a community antenna television system, in, under or over  
103 any public street or highway, for the purpose of providing community  
104 antenna television service for hire and shall include any municipality  
105 which owns or operates one or more plants for the manufacture or  
106 distribution of electricity pursuant to section 7-213 or any special act  
107 and seeks to obtain or obtains a certificate of public convenience and  
108 necessity to construct or operate a community antenna television  
109 system pursuant to section 16-331 or a certificate of cable franchise  
110 authority pursuant to section 16-331q. "Community antenna television

111 company" does not include a certified competitive video service  
112 provider;

113 [(15)] (11) "Community antenna television service" means (A) the  
114 one-way transmission to subscribers of video programming or  
115 information that a community antenna television company makes  
116 available to all subscribers generally, and subscriber interaction, if any,  
117 which is required for the selection of such video programming or  
118 information, and (B) noncable communications service. "Community  
119 antenna television service" does not include video service provided by  
120 a certified competitive video service provider;

121 [(16)] (12) "Community antenna television system" means a facility,  
122 consisting of a set of closed transmission paths and associated signal  
123 generation, reception and control equipment that is designed to  
124 provide community antenna television service which includes video  
125 programming and which is provided in, under or over any public  
126 street or highway, for hire, to multiple subscribers within a franchise,  
127 but such term does not include (A) a facility that serves only to  
128 retransmit the television signals of one or more television broadcast  
129 stations; (B) a facility that serves only subscribers in one or more  
130 multiple unit dwellings under common ownership, control or  
131 management, unless such facility is located in, under or over a public  
132 street or highway; (C) a facility of a common carrier which is subject, in  
133 whole or in part, to the provisions of Subchapter II of Chapter 5 of the  
134 Communications Act of 1934, 47 USC 201 et seq., as amended, except  
135 that such facility shall be considered a community antenna television  
136 system and the carrier shall be considered a public service company to  
137 the extent such facility is used in the transmission of video  
138 programming directly to subscribers; or (D) a facility of an electric  
139 distribution company which is used solely for operating its electric  
140 distribution company systems. "Community antenna television  
141 system" does not include a facility used by a certified competitive  
142 video service provider to provide video service;

143 [(17)] (13) "Video programming" means programming provided by,

144 or generally considered comparable to programming provided by, a  
145 television broadcast station;

146 [(18)] (14) "Noncable communications service" means any  
147 telecommunications service, as defined in section 16-247a, and which is  
148 not included in the definition of "cable service" in the Communications  
149 Act of 1934, 47 USC 522, as amended. Nothing in this definition shall  
150 be construed to affect service which is both authorized and preempted  
151 pursuant to federal law;

152 [(19)] "Public service motor vehicle" includes all motor vehicles used  
153 for the transportation of passengers for hire;

154 (20) "Motor bus" includes any public service motor vehicle operated  
155 in whole or in part upon any street or highway, by indiscriminately  
156 receiving or discharging passengers, or operated on a regular route or  
157 over any portion thereof, or operated between fixed termini, and any  
158 public service motor vehicle operated over highways within this state  
159 between points outside this state or between points within this state  
160 and points outside this state;]

161 [(21)] (15) "Cogeneration technology" means the use for the  
162 generation of electricity of exhaust steam, waste steam, heat or  
163 resultant energy from an industrial, commercial or manufacturing  
164 plant or process, or the use of exhaust steam, waste steam or heat from  
165 a thermal power plant for an industrial, commercial or manufacturing  
166 plant or process, but shall not include steam or heat developed solely  
167 for electrical power generation;

168 [(22)] (16) "Renewable fuel resources" means energy sources  
169 described in subdivisions [(26)] (20) and [(27)] (21) of this subsection;

170 [(23)] (17) "Telephone company" means a telecommunications  
171 company that provides one or more noncompetitive or emerging  
172 competitive services, as defined in section 16-247a;

173 [(24)] (18) "Domestic telephone company" includes any telephone

174 company which has been chartered by or organized or constituted  
175 within or under the laws of this state;

176 [(25)] (19) "Telecommunications company" means a person that  
177 provides telecommunications service, as defined in section 16-247a,  
178 within the state, but shall not mean a person that provides only (A)  
179 private telecommunications service, as defined in section 16-247a, (B)  
180 the one-way transmission of video programming or other  
181 programming services to subscribers, (C) subscriber interaction, if any,  
182 which is required for the selection of such video programming or other  
183 programming services, (D) the two-way transmission of educational or  
184 instructional programming to a public or private elementary or  
185 secondary school, or a public or independent institution of higher  
186 education, as required by the authority pursuant to a community  
187 antenna television company franchise agreement, or provided  
188 pursuant to a contract with such a school or institution which contract  
189 has been filed with the authority, or (E) a combination of the services  
190 set forth in subparagraphs (B) to (D), inclusive, of this subdivision;

191 [(26)] (20) "Class I renewable energy source" means (A) electricity  
192 derived from (i) solar power, (ii) wind power, (iii) a fuel cell, (iv)  
193 geothermal, (v) landfill methane gas, anaerobic digestion or other  
194 biogas derived from biological sources, (vi) thermal electric direct  
195 energy conversion from a certified Class I renewable energy source,  
196 (vii) ocean thermal power, (viii) wave or tidal power, (ix) low emission  
197 advanced renewable energy conversion technologies, (x) a run-of-the-  
198 river hydropower facility that began operation after July 1, 2003, and  
199 has a generating capacity of not more than thirty megawatts, provided  
200 a facility that applies for certification under this clause after January 1,  
201 2013, shall not be based on a new dam or a dam identified by the  
202 commissioner as a candidate for removal, and shall meet applicable  
203 state and federal requirements, including applicable site-specific  
204 standards for water quality and fish passage, or (xi) a biomass facility  
205 that uses sustainable biomass fuel and has an average emission rate of  
206 equal to or less than .075 pounds of nitrogen oxides per million BTU of  
207 heat input for the previous calendar quarter, except that energy

208 derived from a biomass facility with a capacity of less than five  
209 hundred kilowatts that began construction before July 1, 2003, may be  
210 considered a Class I renewable energy source, or (B) any electrical  
211 generation, including distributed generation, generated from a Class I  
212 renewable energy source, provided, on and after January 1, 2014, any  
213 megawatt hours of electricity from a renewable energy source  
214 described under this subparagraph that are claimed or counted by a  
215 load-serving entity, province or state toward compliance with  
216 renewable portfolio standards or renewable energy policy goals in  
217 another province or state, other than the state of Connecticut, shall not  
218 be eligible for compliance with the renewable portfolio standards  
219 established pursuant to section 16-245a, as amended by this act;

220 [(27)] (21) "Class II renewable energy source" means energy derived  
221 from a trash-to-energy facility, a biomass facility that began operation  
222 before July 1, 1998, provided the average emission rate for such facility  
223 is equal to or less than .2 pounds of nitrogen oxides per million BTU of  
224 heat input for the previous calendar quarter, or a run-of-the-river  
225 hydropower facility provided such facility has a generating capacity of  
226 not more than five megawatts, does not cause an appreciable change in  
227 the riverflow, and began operation prior to July 1, 2003;

228 [(28)] (22) "Electric distribution services" means the owning, leasing,  
229 maintaining, operating, managing or controlling of poles, wires,  
230 conduits or other fixtures along public highways or streets for the  
231 distribution of electricity, or electric distribution-related services;

232 [(29)] (23) "Electric distribution company" or "distribution company"  
233 means any person providing electric transmission or distribution  
234 services within the state, [including an electric company, subject to  
235 subparagraph (F) of this subdivision,] but does not include: (A) A  
236 private power producer, as defined in section 16-243b; (B) a municipal  
237 electric utility established under chapter 101, other than a participating  
238 municipal electric utility; (C) a municipal electric energy cooperative  
239 established under chapter 101a; (D) an electric cooperative established  
240 under chapter 597; (E) any other electric utility owned, leased,

241 maintained, operated, managed or controlled by any unit of local  
242 government under any general statute or special act; (F) [after an  
243 electric company has been unbundled in accordance with the  
244 provisions of section 16-244e, a generation entity or affiliate of the  
245 former electric company; or (G)] an electric supplier; (G) an entity  
246 approved to submeter pursuant to section 16-19ff, as amended by this  
247 act; or (H) a municipality, state or federal governmental entity  
248 authorized to distribute electricity across a public highway or street  
249 pursuant to section 16-243aa, as amended by this act;

250 [(30)] (24) "Electric supplier" means any person, including an electric  
251 aggregator or participating municipal electric utility that is licensed by  
252 the Public Utilities Regulatory Authority in accordance with section  
253 16-245, that provides electric generation services to end use customers  
254 in the state using the transmission or distribution facilities of an  
255 electric distribution company, regardless of whether or not such  
256 person takes title to such generation services, but does not include: (A)  
257 A municipal electric utility established under chapter 101, other than a  
258 participating municipal electric utility; (B) a municipal electric energy  
259 cooperative established under chapter 101a; (C) an electric cooperative  
260 established under chapter 597; or (D) any other electric utility owned,  
261 leased, maintained, operated, managed or controlled by any unit of  
262 local government under any general statute or special act;

263 [(31)] (25) "Electric aggregator" means (A) a person, municipality or  
264 regional water authority that gathers together electric customers for  
265 the purpose of negotiating the purchase of electric generation services  
266 from an electric supplier, or (B) the Connecticut Resources Recovery  
267 Authority, if it gathers together electric customers for the purpose of  
268 negotiating the purchase of electric generation services from an electric  
269 supplier, provided such person, municipality or authority is not  
270 engaged in the purchase or resale of electric generation services, and  
271 provided further such customers contract for electric generation  
272 services directly with an electric supplier, and may include an electric  
273 cooperative established pursuant to chapter 597;

274 [(32)] (26) "Electric generation services" means electric energy,  
275 electric capacity or generation-related services;

276 [(33)] (27) "Electric transmission services" means electric  
277 transmission or transmission-related services;

278 [(34)] (28) "Generation entity or affiliate" means a corporate affiliate  
279 or [, as provided in subdivision (3) of subsection (a) of section 16-244e,]  
280 a separate division of an electric distribution company [after  
281 unbundling has occurred pursuant to section 16-244e,] that provides  
282 electric generation services;

283 [(35)] (29) "Participating municipal electric utility" means a  
284 municipal electric utility established under chapter 101 or any other  
285 electric utility owned, leased, maintained, operated, managed or  
286 controlled by any unit of local government under any general statute  
287 or any public or special act, that is authorized by the authority in  
288 accordance with section 16-245c to provide electric generation services  
289 to end use customers outside its service area, as defined in section  
290 16-245c;

291 [(36)] (30) "Person" means an individual, business, firm, corporation,  
292 association, joint stock association, trust, partnership or limited  
293 liability company;

294 [(37)] (31) "Regional independent system operator" means the "ISO -  
295 New England, Inc.", or its successor organization as approved by the  
296 Federal Energy Regulatory Commission;

297 [(38)] (32) "Certified telecommunications provider" means a person  
298 certified by the authority to provide intrastate telecommunications  
299 services, as defined in section 16-247a, pursuant to sections 16-247f to  
300 16-247h, inclusive;

301 [(39)] (33) "Gas registrant" means a person registered to sell natural  
302 gas pursuant to section 16-258a;

303 [(40)] (34) "Customer-side distributed resources" means (A) the

304 generation of electricity from a unit with a rating of not more than  
305 sixty-five megawatts on the premises of a retail end user within the  
306 transmission and distribution system including, but not limited to, fuel  
307 cells, photovoltaic systems or small wind turbines, or (B) a reduction in  
308 the demand for electricity on the premises of a retail end user in the  
309 distribution system through methods of conservation and load  
310 management, including, but not limited to, peak reduction systems  
311 and demand response systems;

312 [(41)] (35) "Federally mandated congestion charges" means any cost  
313 approved by the Federal Energy Regulatory Commission as part of  
314 New England Standard Market Design including, but not limited to,  
315 locational marginal pricing, locational installed capacity payments, any  
316 cost approved by the Public Utilities Regulatory Authority to reduce  
317 federally mandated congestion charges in accordance with section 7-  
318 233y, this section, sections 16-32f, 16-50i, as amended by this act, 16-  
319 50k, 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by this  
320 act, [16-244e,] 16-245m, as amended by this act, 16-245n, as amended  
321 by this act, and 16-245z, and section 21 of public act 05-1 of the June  
322 special session and reliability must run contracts;

323 [(42)] (36) "Combined heat and power system" means a system that  
324 produces, from a single source, both electric power and thermal energy  
325 used in any process that results in an aggregate reduction in electricity  
326 use;

327 [(43)] (37) "Grid-side distributed resources" means the generation of  
328 electricity from a unit with a rating of not more than sixty-five  
329 megawatts that is connected to the transmission or distribution system,  
330 which units may include, but are not limited to, units used primarily to  
331 generate electricity to meet peak demand;

332 [(44)] (38) "Class III source" means the electricity output from  
333 combined heat and power systems with an operating efficiency level of  
334 no less than fifty per cent that are part of customer-side distributed  
335 resources developed at commercial and industrial facilities in this state

336 on or after January 1, 2006, a waste heat recovery system installed on  
337 or after April 1, 2007, that produces electrical or thermal energy by  
338 capturing preexisting waste heat or pressure from industrial or  
339 commercial processes, or the electricity savings created in this state  
340 from conservation and load management programs begun on or after  
341 January 1, 2006, provided on and after January 1, 2014, no such  
342 programs supported by ratepayers, including programs overseen by  
343 the Energy Conservation Management Board or third-party programs  
344 pursuant to section 16-245m, as amended by this act, shall be  
345 considered a Class III source, except that any demand-side  
346 management project awarded a contract pursuant to section 16-243m,  
347 as amended by this act, shall remain eligible as a Class III source for  
348 the term of such contract;

349 [(45)] (39) "Sustainable biomass fuel" means biomass that is  
350 cultivated and harvested in a sustainable manner. "Sustainable  
351 biomass fuel" does not mean construction and demolition waste, as  
352 defined in section 22a-208x, finished biomass products from sawmills,  
353 paper mills or stud mills, organic refuse fuel derived separately from  
354 municipal solid waste, or biomass from old growth timber stands,  
355 except where (A) such biomass is used in a biomass gasification plant  
356 that received funding prior to May 1, 2006, from the Clean Energy  
357 Fund established pursuant to section 16-245n, as amended by this act,  
358 or (B) the energy derived from such biomass is subject to a long-term  
359 power purchase contract pursuant to subdivision (2) of subsection (j)  
360 of section 16-244c entered into prior to May 1, 2006;

361 [(46)] (40) "Video service" means video programming services  
362 provided through wireline facilities, a portion of which are located in  
363 the public right-of-way, without regard to delivery technology,  
364 including Internet protocol technology. "Video service" does not  
365 include any video programming provided by a commercial mobile  
366 service provider, as defined in 47 USC 332(d), any video programming  
367 provided as part of community antenna television service in a  
368 franchise area as of October 1, 2007, any video programming provided  
369 as part of and via a service that enables users to access content,

370 information, electronic mail or other services over the public Internet;

371 [(47)] (41) "Certified competitive video service provider" means an  
372 entity providing video service pursuant to a certificate of video  
373 franchise authority issued by the authority in accordance with section  
374 16-331e. "Certified competitive video service provider" does not mean  
375 an entity issued a certificate of public convenience and necessity in  
376 accordance with section 16-331 or the affiliates, successors and assigns  
377 of such entity or an entity issued a certificate of cable franchise  
378 authority in accordance with section 16-331p or the affiliates,  
379 successors and assignees of such entity;

380 [(48)] (42) "Certificate of video franchise authority" means an  
381 authorization issued by the Public Utilities Regulatory Authority  
382 conferring the right to an entity or person to own, lease, maintain,  
383 operate, manage or control facilities in, under or over any public  
384 highway to offer video service to any subscribers in the state;

385 [(49)] (43) "Certificate of cable franchise authority" means an  
386 authorization issued by the Public Utilities Regulatory Authority  
387 pursuant to section 16-331q conferring the right to a community  
388 antenna television company to own, lease, maintain, operate, manage  
389 or control a community antenna television system in, under or over  
390 any public highway to (A) offer community antenna television service  
391 in a community antenna television company's designated franchise  
392 area, or (B) use the public rights-of-way to offer video service in a  
393 designated franchise area. The certificate of cable franchise authority  
394 shall be issued as an alternative to a certificate of public convenience  
395 and necessity pursuant to section 16-331 and shall only be available to  
396 a community antenna television company under the terms specified in  
397 sections 16-331q to 16-331aa, inclusive;

398 [(50)] (44) "Thermal energy transportation company" means any  
399 person authorized under any provision of the general statutes or  
400 special act to furnish heat or air conditioning or both, by means of  
401 steam, heated or chilled water or other medium, to lay and maintain

402 mains, pipes or other conduits, and to erect such other fixtures  
403 necessary or convenient in and on the streets, highways and public  
404 grounds of any municipality to carry steam, heated or chilled water or  
405 other medium from such plant to the location to be served and to  
406 return the same;

407 [(51)] (45) "The Connecticut Television Network" means the General  
408 Assembly's state-wide twenty-four-hour state public affairs  
409 programming service, separate and distinct from community access  
410 channels;

411 [(52)] (46) "Commissioner of Energy and Environmental Protection"  
412 means the Commissioner of Energy and Environmental Protection  
413 appointed pursuant to title 4, or the commissioner's designee; and

414 [(53)] (47) "Large-scale hydropower" means any hydropower facility  
415 that (A) began operation on or after January 1, 2003, (B) is located in  
416 the New England Power Pool Generation Information System  
417 geographic eligibility area in accordance with Rule 2.3 of said system  
418 or an area abutting the northern boundary of the New England Power  
419 Pool Generation Information System geographic eligibility area that is  
420 not interconnected with any other control area that is not a part of the  
421 New England Power Pool Generation Information System geographic  
422 eligibility area, (C) delivers power into such geographic eligibility area,  
423 and (D) has a generating capacity of more than thirty megawatts.

424 Sec. 2. (NEW) (*Effective from passage*) Terms used in chapter 244,  
425 sections 16-216 to 16-227, inclusive, of the general statutes and chapters  
426 244a, 244b, 245, 245a and 245b of the general statutes shall be  
427 construed as follows, unless another meaning is expressed or is clearly  
428 apparent from the language or context:

429 (1) "Railroad company" includes every person owning, leasing,  
430 maintaining, operating, managing or controlling any railroad, or any  
431 cars or other equipment employed thereon or in connection therewith,  
432 for public or general use within this state;

433 (2) "Street railway company" includes every person owning, leasing,  
434 maintaining, operating, managing or controlling any street railway, or  
435 any cars or other equipment employed thereon or in connection  
436 therewith, for public or general use within this state;

437 (3) "Public service motor vehicle" includes all motor vehicles used  
438 for the transportation of passengers for hire; and

439 (4) "Motor bus" includes any public service motor vehicle operated  
440 in whole or in part upon any street or highway, by indiscriminately  
441 receiving or discharging passengers, or operated on a regular route or  
442 over any portion thereof, or operated between fixed termini, and any  
443 public service motor vehicle operated over highways within this state  
444 between points outside this state or between points within this state  
445 and points outside this state.

446 Sec. 3. Subsection (a) of section 16-10a of the general statutes is  
447 repealed and the following is substituted in lieu thereof (*Effective from*  
448 *passage*):

449 (a) Whenever any person, firm or corporation, incorporated under  
450 the general statutes or any special act, is granted a franchise to operate  
451 as a public service company, as defined in section 16-1, as amended by  
452 this act, and fails to provide service which is adequate to serve the  
453 public convenience and necessity of any town, city, borough, district or  
454 other political subdivision of the state, or any portion thereof, for a  
455 period of five years from the date of such franchise or from January 1,  
456 1961, whichever is later, the Public Utilities Regulatory Authority, on  
457 its own initiative, or upon complaint of any such town, city, borough,  
458 district or other political subdivision, or on petition of not less than  
459 five per cent of the affected persons, but in no event more than one  
460 thousand persons, in any such town, city, borough, district or other  
461 political subdivision, shall fix a time and place for a hearing to be held  
462 thereon. The authority shall give notice thereof to all parties in interest  
463 and shall make such further investigation into the alleged failure to  
464 provide such service as it deems necessary. If upon such hearing, said

465 authority finds that the holder of such franchise has failed to provide  
466 such service and that there is an immediate need for such service, it  
467 may revoke such franchise as to any such town, city, borough, district  
468 or political subdivision, or any portion thereof, or make such other  
469 order as may be necessary to provide such service. Whenever any  
470 person, firm or corporation, incorporated under the general statutes or  
471 any special act, is granted a franchise to operate as a railroad company,  
472 as defined in [section 16-1] section 2 of this act, and fails to provide  
473 adequate service, or has discontinued the service, on any segment of its  
474 lines for which such franchise is granted for a period of five years or  
475 more, the franchise for such segment of line shall cease to exist and  
476 shall be revoked by the authority for such failure to operate such  
477 service or discontinuance of service for a period of five years or more.

478 Sec. 4. Section 16-252 of the general statutes is repealed and the  
479 following is substituted in lieu thereof (*Effective from passage*):

480 All such bonds may be secured by a mortgage of the property, real,  
481 personal or mixed, of the mortgagor, executed by its president, under  
482 its corporate seal, to the Treasurer of the state, and his successors in  
483 office, in trust, for the holders of such bonds, and recorded in the office  
484 of the Secretary of the State, and such mortgage shall secure equally all  
485 such bonds as may be issued from time to time to the full amount  
486 specified in the mortgage, and may include not only the property then  
487 owned by the mortgagor but also property to be thereafter acquired by  
488 it. In such mortgage deed, it shall be sufficient to describe the lines,  
489 wires, poles, conduits, equipment and apparatus of the telephone  
490 company, in general terms and by general reference to locality. The  
491 provisions of sections 16-218 to 16-227, inclusive, concerning the  
492 foreclosure of mortgages of railroad companies, as defined in section 2  
493 of this act, shall apply to any mortgages or bonds issued by telephone  
494 companies, associations or corporations.

495 Sec. 5. Section 16-265 of the general statutes is repealed and the  
496 following is substituted in lieu thereof (*Effective from passage*):

497 No lands or rights-of-way or easements therein shall be taken by  
498 eminent domain under the provisions of sections 16-263 to 16-269,  
499 inclusive, in any public street or highway, public park or reservation or  
500 other public property, or within the location of any railroad company,  
501 as defined in section 2 of this act, or other public utility company;  
502 provided such pipeline or pipelines may be constructed under or  
503 through any public highway or street, public park or reservation or  
504 other public property if the method of such construction and the plans  
505 and specifications therefor have been approved by the authority  
506 having jurisdiction over the maintenance of such public highway or  
507 street, public park or reservation or other public property; and  
508 provided such pipeline or pipelines may be constructed over or across  
509 the location of any railroad company, as defined in section 2 of this act,  
510 or other public utility company by agreement with such railroad  
511 company or other public utility company or, in the event of failure so  
512 to agree, then with the approval of and in such manner as may be  
513 determined by the Public Utilities Regulatory Authority.

514 Sec. 6. Section 52-557o of the general statutes is repealed and the  
515 following is substituted in lieu thereof (*Effective from passage*):

516 No action for trespass shall lie against any surveyor licensed under  
517 chapter 391 or person acting at the direction of any such licensed  
518 surveyor who enters upon land other than the land being surveyed  
519 without causing any damage to such other land in order to perform a  
520 survey, provided no such surveyor or person acting at the direction of  
521 such surveyor shall enter upon any land owned by a railroad  
522 company, as defined in section [16-1] 2 of this act, which is within fifty  
523 feet of a railroad track without first obtaining written permission from  
524 the railroad company, which written permission shall not be  
525 unreasonably withheld. Nothing herein shall relieve such licensed  
526 surveyor or person from liability for actual damages caused by such  
527 entry upon such other property.

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

530 [(a) The Public Utilities Regulatory Authority shall not approve any  
531 electric public service company's application, under section 16-19, for a  
532 change in the electric rate of any agricultural customer from a  
533 residential rate schedule to a commercial rate schedule nor shall the  
534 authority on its own initiative, under section 16-19a, authorize such  
535 change for three years from May 2, 1988. Each electric public service  
536 company, in the case of any such customer which it has transferred  
537 from a residential rate to a commercial rate since 1980 or which it  
538 transferred in violation of any authority order, shall provide such  
539 customer with the option to reconvert to the customer's former rate  
540 classification.]

541 [(b)] All electric public service companies shall implement  
542 conservation and load management programs for agricultural  
543 customers.

544 Sec. 8. Subsection (h) of section 16-50j of the 2014 supplement to the  
545 general statutes is repealed and the following is substituted in lieu  
546 thereof (*Effective from passage*):

547 (h) Prior to commencing any hearing pursuant to section 16-50m,  
548 the council shall consult with and solicit written comments from (1) the  
549 Department of Energy and Environmental Protection, the Department  
550 of Public Health, the Council on Environmental Quality, the  
551 Department of Agriculture, the Public Utilities Regulatory Authority,  
552 the Office of Policy and Management, the Department of Economic  
553 and Community Development and the Department of Transportation,  
554 and (2) in a hearing pursuant to section 16-50m, for a facility described  
555 in subdivision (3) of subsection (a) of section 16-50i, the Department of  
556 Emergency Services and Public Protection, the Department of  
557 Consumer Protection, the Department of Administrative Services and  
558 the Labor Department. [In addition, the Department of Energy and  
559 Environmental Protection shall have the continuing responsibility to  
560 investigate and report to the council on all applications which prior to  
561 October 1, 1973, were within the jurisdiction of the Department of  
562 Environmental Protection with respect to the granting of a permit.]

563 Copies of such comments shall be made available to all parties prior to  
564 the commencement of the hearing. Subsequent to the commencement  
565 of the hearing, said departments and council may file additional  
566 written comments with the council within such period of time as the  
567 council designates. All such written comments shall be made part of  
568 the record provided by section 16-50o. Said departments and council  
569 shall not enter any contract or agreement with any party to the  
570 proceedings or hearings described in this section or section 16-50p that  
571 requires said departments or council to withhold or retract comments,  
572 refrain from participating in or withdraw from said proceedings or  
573 hearings.

574 Sec. 9. Section 16-243n of the general statutes is repealed and the  
575 following is substituted in lieu thereof (*Effective from passage*):

576 (a) Not later than October 1, 2005, each electric distribution  
577 company, as defined in section 16-1, as amended by this act, shall  
578 submit an application to the Public Utilities Regulatory Authority to  
579 (1) on or before January 1, 2007, implement time-of-use rates for  
580 customers that have a maximum demand of not less than three  
581 hundred fifty kilowatts that may include, but not be limited to,  
582 mandatory peak, shoulder and off-peak time-of-use rates, and (2) on or  
583 before June 1, 2006, offer optional interruptible or load response rates  
584 for customers that have a maximum demand of not less than three  
585 hundred fifty kilowatts and offer optional seasonal and time-of-use  
586 rates for all customers. The application shall propose to establish time-  
587 of-use rates through a procurement plan, revenue neutral adjustments  
588 to delivery rates, or both.

589 [(b) From March 1, 2006, until December 31, 2006, each electric  
590 distribution company shall issue comparative analyses to customers  
591 that have a maximum demand of not less than three hundred fifty  
592 kilowatts that would demonstrate, at current levels of consumption,  
593 the effects of the mandatory time-of-use rates as specified in  
594 subdivision (l) of subsection (a) of this section to be effective beginning  
595 January 1, 2007.]

596 [(c)] (b) Not later than November 1, 2005, each electric distribution  
597 company shall submit an application to the Public Utilities Regulatory  
598 Authority to implement mandatory seasonal rates for all customers  
599 beginning April 1, 2007.

600 [(d)] From April 1, 2006, until March 31, 2007, each electric  
601 distribution company shall issue comparative analyses to all customers  
602 that demonstrate, at current levels of consumption, the effects of the  
603 mandatory seasonal rates that will be effective beginning April 1,  
604 2007.]

605 [(e)] (c) The authority shall hold a hearing that shall be conducted as  
606 a contested case, in accordance with the provisions of chapter 54, to  
607 approve, reject or modify applications submitted pursuant to  
608 subsection (a) or [(c)] (b) of this section. No application for time-of-use  
609 rates shall be approved unless (1) such rates reasonably reflect the cost  
610 of service during their respective time-of-use periods, and (2) the costs  
611 associated with implementation, the impact on customers and benefits  
612 to the utility system justify implementation of such rates, and (3) such  
613 rates alter patterns of customer consumption of electricity without  
614 undue adverse effect on the customer.

615 [(f)] (d) Each electric distribution company shall assist customers to  
616 help manage loads and reduce peak consumption through the  
617 comprehensive plan developed pursuant to section 16-245m, as  
618 amended by this act.

619 [(g)] The authority shall conduct a contested case, in accordance with  
620 chapter 54, to determine the standards under which, and process by  
621 which, a customer, having a maximum demand of three hundred fifty  
622 kilowatts or more, may obtain an exemption, until July 1, 2010, from  
623 mandatory time-of-use rates as specified in subdivision (1) of  
624 subsection (a) of this section. The authority shall issue a decision in the  
625 contested case no later than January 1, 2006.]

626 Sec. 10. Section 16-244b of the general statutes is repealed and the  
627 following is substituted in lieu thereof (*Effective from passage*):

628 All customers of electric distribution companies, as defined in  
629 section 16-1, as amended by this act, shall have the opportunity to  
630 purchase electric generation services from their choice of electric  
631 suppliers, as defined in section 16-1, as amended by this act, in a  
632 competitive generation market in accordance with the schedule  
633 provided in this section. [On and after January 1, 2000, up to thirty-five  
634 per cent of the peak load of each rate class of an electric company or  
635 electric distribution company, as the case may be, may choose an  
636 electric supplier to provide their electric generation services, provided  
637 such customers shall be located in distressed municipalities, as defined  
638 in section 32-9p. In the event that the number of customers exceeds  
639 thirty-five per cent of such load, preference shall be given to customers  
640 located in distressed municipalities with a population greater than one  
641 hundred thousand persons. Participation shall be determined on a  
642 first-come, first-served basis.] As of July 1, 2000, all customers shall  
643 have the opportunity to choose an electric supplier. On and after  
644 January 1, 2000, electric generation services shall be provided in  
645 accordance with section 16-244c, as amended by this act, to any  
646 customer who has not chosen an electric supplier or has declined,  
647 failed or been unable to enter into or maintain a contract for electric  
648 generation services with an electric supplier. The Public Utilities  
649 Regulatory Authority may adopt regulations, in accordance with  
650 chapter 54, to implement the phase-in schedule provided in this  
651 section.

652 Sec. 11. Subsection (e) of section 16-244c of the 2014 supplement to  
653 the general statutes is repealed and the following is substituted in lieu  
654 thereof (*Effective from passage*):

655 (e) An electric distribution company is not required to be licensed  
656 pursuant to section 16-245 to provide [standard offer electric  
657 generation services in accordance with] standard service pursuant to  
658 subsection (a) of this section, supplier of last resort service pursuant to  
659 subsection (c) of this section or back-up electric generation service  
660 pursuant to subsection (d) of this section.

661 Sec. 12. Subsection (e) of section 16-244u of the 2014 supplement to  
662 the general statutes is repealed and the following is substituted in lieu  
663 thereof (*Effective from passage*):

664 (e) On or before October 1, 2013, the Public Utilities Regulatory  
665 Authority shall conduct a proceeding to develop the administrative  
666 processes and program specifications, including, but not limited to, a  
667 cap of ten million dollars per year apportioned to each electric  
668 distribution company based on consumer load for credits provided to  
669 beneficial accounts pursuant to subsection (c) of this section and  
670 payments made pursuant to subsection (d) of this section, provided  
671 the municipal, state and agricultural customer hosts, each in the  
672 aggregate, and the designated beneficial accounts of such customer  
673 hosts, shall receive not more than forty per cent of the dollar amount  
674 established pursuant to this subsection.

675 Sec. 13. Subsection (g) of section 16-245a of the 2014 supplement to  
676 the general statutes is repealed and the following is substituted in lieu  
677 thereof (*Effective from passage*):

678 (g) [(1)] Notwithstanding the provisions of this section and section  
679 16-244c, as amended by this act, for periods beginning on and after  
680 January 1, 2008, each electric distribution company may procure  
681 renewable energy certificates from Class I, Class II and Class III  
682 renewable energy sources through long-term contracting mechanisms.  
683 The electric distribution companies may enter into long-term contracts  
684 for not more than fifteen years to procure such renewable energy  
685 certificates. The electric distribution companies shall use any  
686 renewable energy certificates obtained pursuant to this section to meet  
687 their standard service and supplier of last resort renewable portfolio  
688 standard requirements.

689 [(2) On or before July 1, 2007, the authority shall initiate a contested  
690 case proceeding to examine whether long-term contracts should be  
691 used to procure Class I, Class II and Class III certificates. In such  
692 examination, the authority shall determine (A) the impact of such

693 contracts on price stability, fuel diversity and cost; (B) the method and  
694 timing of crediting of the procurement of renewable energy certificates  
695 against the renewable portfolio standard purchase obligations of  
696 electric suppliers and the electric distribution companies pursuant to  
697 subsection (a) of this section; (C) the terms and conditions, including  
698 reasonable performance assurance commitments, that may be imposed  
699 on entities seeking to supply renewable energy certificates; (D) the  
700 level of one-time compensation, not to exceed one mill per kilowatt  
701 hour of output and services associated with the renewable energy  
702 certificates purchased pursuant to this subsection, which may be  
703 payable to the electric distribution companies for administering the  
704 procurement provided for under this subsection and recovered as part  
705 of the generation services charge or through an appropriate  
706 nonbypassable rate component on customers' bills; (E) the manner in  
707 which costs for such program may be recovered from electric  
708 distribution company customers; and (F) any other issues the authority  
709 deems appropriate. Revenues from such compensation shall not be  
710 included in calculating the electric distribution companies' earnings to  
711 determine if rates are just and reasonable, for earnings sharing  
712 mechanisms or for purposes of sections 16-19, 16-19a and 16-19e.]

713 Sec. 14. Subdivision (1) of subsection (a) of section 16-245m of the  
714 2014 supplement to the general statutes is repealed and the following  
715 is substituted in lieu thereof (*Effective from passage*):

716 (a) (1) On and after January 1, 2000, the Public Utilities Regulatory  
717 Authority shall assess or cause to be assessed a charge of three mills  
718 per kilowatt hour of electricity sold to each end use customer of an  
719 electric distribution company to be used to implement the program as  
720 provided in this section for conservation and load management  
721 programs. [but not for the amortization of costs incurred prior to July  
722 1, 1997, for such conservation and load management programs.]

723 Sec. 15. Subsection (b) of section 16-245n of the general statutes is  
724 repealed and the following is substituted in lieu thereof (*Effective from*  
725 *passage*):

726 (b) On and after July 1, 2004, the Public Utilities Regulatory  
727 Authority shall assess or cause to be assessed a charge of not less than  
728 one mill per kilowatt hour charged to each end use customer of electric  
729 services in this state which shall be deposited into the Clean Energy  
730 Fund established under subsection (c) of this section.  
731 [Notwithstanding the provisions of this section, receipts from such  
732 charges shall be disbursed to the resources of the General Fund during  
733 the period from July 1, 2003, to June 30, 2005, unless the authority  
734 shall, on or before October 30, 2003, issue a financing order for each  
735 affected distribution company in accordance with sections 16-245e to  
736 16-245k, inclusive, to sustain funding of renewable energy investment  
737 programs by substituting an equivalent amount, as determined by the  
738 authority in such financing order, of proceeds of rate reduction bonds  
739 for disbursement to the resources of the General Fund during the  
740 period from July 1, 2003, to June 30, 2005. The authority may authorize  
741 in such financing order the issuance of rate reduction bonds that  
742 substitute for disbursement to the General Fund for receipts of both  
743 charges under this subsection and subsection (a) of section 16-245m  
744 and also may in its discretion authorize the issuance of rate reduction  
745 bonds under this subsection and subsection (a) of section 16-245m that  
746 relate to more than one electric distribution company. The authority  
747 shall, in such financing order or other appropriate order, offset any  
748 increase in the competitive transition assessment necessary to pay  
749 principal, premium, if any, interest and expenses of the issuance of  
750 such rate reduction bonds by making an equivalent reduction to the  
751 charges imposed under this subsection, provided any failure to offset  
752 all or any portion of such increase in the competitive transition  
753 assessment shall not affect the need to implement the full amount of  
754 such increase as required by this subsection and sections 16-245e to 16-  
755 245k, inclusive. Such financing order shall also provide if the rate  
756 reduction bonds are not issued, any unrecovered funds expended and  
757 committed by the electric distribution companies for renewable  
758 resource investment through deposits into the Clean Energy Fund,  
759 provided such expenditures were approved by the authority following  
760 August 20, 2003, and prior to the date of determination that the rate

761 reduction bonds cannot be issued, shall be recovered by the companies  
762 from their respective competitive transition assessment or systems  
763 benefits charge, except that such expenditures shall not exceed one  
764 million dollars per month. All receipts from the remaining charges  
765 imposed under this subsection, after reduction of such charges to offset  
766 the increase in the competitive transition assessment as provided in  
767 this subsection, shall be disbursed to the Clean Energy Fund  
768 commencing as of July 1, 2003. Any increase in the competitive  
769 transition assessment or decrease in the renewable energy investment  
770 component of an electric distribution company's rates resulting from  
771 the issuance of or obligations under rate reduction bonds shall be  
772 included as rate adjustments on customer bills.]

773 Sec. 16. Subsection (b) of section 16-245ff of the 2014 supplement to  
774 the general statutes is repealed and the following is substituted in lieu  
775 thereof (*Effective from passage*):

776 (b) The Clean Energy Finance and Investment Authority shall offer  
777 direct financial incentives, in the form of performance-based incentives  
778 or expected performance-based buydowns, for the purchase or lease of  
779 qualifying residential solar photovoltaic systems. For the purposes of  
780 this section, "performance-based incentives" means incentives paid out  
781 on a per kilowatt-hour basis, and "expected performance-based  
782 buydowns" means incentives paid out as a one-time upfront incentive  
783 based on expected system performance. The authority shall consider  
784 willingness to pay studies and verified solar photovoltaic system  
785 characteristics, such as operational efficiency, size, location, shading  
786 and orientation, when determining the type and amount of incentive.  
787 Notwithstanding the provisions of subdivision (1) of subsection (h) of  
788 section 16-244c, the amount of renewable energy produced from Class  
789 I renewable energy sources receiving tariff payments or included in  
790 utility rates under this section shall be applied to reduce the electric  
791 distribution company's Class I renewable energy source portfolio  
792 standard. Customers who receive expected performance-based  
793 buydowns under this section shall not be eligible for a credit pursuant  
794 to section [16-243b] 16-243h.

795 Sec. 17. Subsection (c) of section 16-262y of the 2014 supplement to  
796 the general statutes is repealed and the following is substituted in lieu  
797 thereof (*Effective from passage*):

798 (c) (1) On or after June 5, 2013, and before a water company [,] with  
799 actual revenues at least one per cent less than allowed revenues files  
800 for its next general rate case pursuant to section 16-19, as amended by  
801 this act, such company may request, and the Public Utilities  
802 Regulatory Authority shall initiate, a docket for a limited reopener to  
803 approve a revenue adjustment mechanism.

804 (2) After approval of a revenue adjustment mechanism pursuant to  
805 subdivision (1) of this subsection, such mechanism shall be authorized  
806 by the authority annually thereafter until the earlier of (A) the sixth  
807 year after the last general rate case, or (B) such time as such company  
808 files its next general rate case. Such company shall file with the  
809 authority an annual reconciliation of actual revenues to allowed  
810 revenues that shall include a report of the changes in water demands  
811 and any measures such company has taken to promote water  
812 conservation.

813 Sec. 18. Subsection (a) of section 16a-3 of the 2014 supplement to the  
814 general statutes is repealed and the following is substituted in lieu  
815 thereof (*Effective from passage*):

816 (a) There is established a Connecticut Energy Advisory Board  
817 consisting of nine members, including the [Office of] Consumer  
818 Counsel. The president pro tempore of the Senate shall appoint a  
819 representative of an environmental organization knowledgeable in  
820 energy efficiency programs, a representative of a consumer advocacy  
821 organization and a representative of a state-wide business association.  
822 The speaker of the House of Representatives shall appoint a  
823 representative of low-income ratepayers, a representative of academia  
824 who has knowledge of energy-related issues and a member of the  
825 public considered to be an expert in electricity, generation, renewable  
826 energy, procurement or conservation programs. The minority leader of

827 the Senate shall appoint a representative of a municipality. The  
828 minority leader of the House of Representatives shall appoint a  
829 member of the public considered to be an expert in electricity,  
830 generation, renewable energy, procurement or conservation. All  
831 appointed members shall serve in accordance with section 4-1a. No  
832 appointee may be employed by, or a consultant of, a public service  
833 company, as defined in section 16-1, as amended by this act, or an  
834 electric supplier, as defined in section 16-1, as amended by this act, or  
835 an affiliate or subsidiary of such company or supplier.

836 Sec. 19. Section 16a-3e of the 2014 supplement to the general statutes  
837 is repealed and the following is substituted in lieu thereof (*Effective*  
838 *from passage*):

839 The Integrated Resources Plan to be adopted in 2012 and [annually]  
840 biennially thereafter, shall (1) indicate specific options to reduce  
841 electric rates and costs. Such options may include the procurement of  
842 new sources of generation. In the review of new sources of generation,  
843 the Integrated Resources Plan shall indicate whether the private  
844 wholesale market can supply such additional sources or whether state  
845 financial assistance, long-term purchasing of electricity contracts or  
846 other interventions are needed to achieve the goal; (2) analyze in-state  
847 renewable sources of electricity in comparison to transmission line  
848 upgrades or new projects and out-of-state renewable energy sources,  
849 provided such analysis also considers the benefits of additional jobs  
850 and other economic impacts and how they are created and subsidized;  
851 (3) include an examination of average consumption and other states'  
852 best practices to determine why electricity rates are lower elsewhere in  
853 the region; (4) assess and compare the cost of transmission line  
854 projects, new power sources, renewable sources of electricity,  
855 conservation and distributed generation projects to ensure the state  
856 pursues only the least-cost alternative projects; (5) continually monitor  
857 supply and distribution systems to identify potential need for  
858 transmission line projects early enough to identify alternatives; and (6)  
859 assess the least-cost alternative to address reliability concerns,  
860 including, but not limited to, lowering electricity demand through

861 conservation and distributed generation projects before an electric  
862 distribution company submits a proposal for transmission lines or  
863 transmission line upgrades to the independent system operator or the  
864 Federal Energy Regulatory Commission, provided no provision of  
865 such plan shall be deemed to prohibit an electric distribution company  
866 from making any filing required by law or regulation.

867 Sec. 20. Subsection (c) of section 16a-40m of the 2014 supplement to  
868 the general statutes is repealed and the following is substituted in lieu  
869 thereof (*Effective from passage*):

870 (c) The guidelines for the comprehensive residential clean energy  
871 on-bill repayment program pursuant to subdivisions (9) to (11),  
872 inclusive, of subsection (b) of this section shall be subject to review and  
873 [approve] approval by the Public Utilities Regulatory Authority, which  
874 review shall commence upon filing such guidelines with the authority  
875 and the review shall be deemed complete not later than ninety days  
876 after such filing. Such review shall be conducted in an uncontested  
877 proceeding.

878 Sec. 21. Subdivision (57) of section 12-81 of the 2014 supplement to  
879 the general statutes is repealed and the following is substituted in lieu  
880 thereof (*Effective from passage*):

881 (57) (A) Any Class I renewable energy source, as defined in section  
882 16-1, as amended by this act, or hydropower facility described in  
883 subdivision [(27)] (21) of subsection (a) of section 16-1, as amended by  
884 this act, installed for the generation of electricity for private residential  
885 use or on a farm, as defined in subsection (q) of section 1-1, provided  
886 such installation occurs on or after October 1, 2007, and further  
887 provided such installation is for a single family dwelling, a  
888 multifamily dwelling consisting of two to four units or a farm, or any  
889 passive or active solar water or space heating system or geothermal  
890 energy resource;

891 (B) For assessment years commencing on and after October 1, 2013,  
892 any Class I renewable energy source, as defined in section 16-1, as

893 amended by this act, hydropower facility described in subdivision  
894 [(27)] (21) of subsection (a) of section 16-1, as amended by this act, or  
895 solar thermal or geothermal renewable energy source, installed for  
896 generation or displacement of energy, provided (i) such installation  
897 occurs on or after January 1, 2010, (ii) such installation is for  
898 commercial or industrial purposes, (iii) the nameplate capacity of such  
899 source or facility does not exceed the load for the location where such  
900 generation or displacement is located, and (iv) such source or facility is  
901 located in a distressed municipality, as defined in section 32-9p, with a  
902 population between one hundred twenty-five thousand and one  
903 hundred thirty-five thousand;

904 (C) For assessment years commencing on and after October 1, 2013,  
905 any municipality may, upon approval by its legislative body or in any  
906 town in which the legislative body is a town meeting, by the board of  
907 selectmen, abate up to one hundred per cent of property tax for any  
908 Class I renewable energy source, as defined in section 16-1, as  
909 amended by this act, hydropower facility described in subdivision  
910 [(27)] (21) of subsection (a) of section 16-1, as amended by this act, or  
911 solar thermal or geothermal renewable energy source, installed for  
912 generation or displacement of energy, provided (i) such installation  
913 occurs between January 1, 2010, and December 31, 2013, (ii) such  
914 installation is for commercial or industrial purposes, (iii) the nameplate  
915 capacity of such source or facility does not exceed the load for the  
916 location where such generation or displacement is located, and (iv)  
917 such source or facility is not located in a municipality described in  
918 subparagraph (B) of this subdivision;

919 (D) For assessment years commencing on and after October 1, 2014,  
920 any Class I renewable energy source, as defined in section 16-1, as  
921 amended by this act, hydropower facility described in subdivision  
922 [(27)] (21) of subsection (a) of section 16-1, as amended by this act, or  
923 solar thermal or geothermal renewable energy source, installed for  
924 generation or displacement of energy, provided (i) such installation  
925 occurs on or after January 1, 2014, (ii) is for commercial or industrial  
926 purposes, and (iii) the nameplate capacity of such source or facility

927 does not exceed the load for the location where such generation or  
928 displacement is located;

929 (E) Any person claiming the exemption provided in this subdivision  
930 for any assessment year shall, on or before the first day of November  
931 in such assessment year, file with the assessor or board of assessors in  
932 the town in which such hydropower facility, Class I renewable energy  
933 source, solar thermal or geothermal renewable energy source or  
934 passive or active solar water or space heating system or geothermal  
935 energy resource is located, a written application claiming such  
936 exemption. Failure to file such application in the manner and form as  
937 provided by such assessor or board within the time limit prescribed  
938 shall constitute a waiver of the right to such exemption for such  
939 assessment year. Such application shall not be required for any  
940 assessment year following that for which the initial application is filed,  
941 provided if such hydropower facility, Class I renewable energy source,  
942 solar thermal or geothermal renewable energy source or passive or  
943 active solar water or space heating system or geothermal energy  
944 resource is altered in a manner which would require a building permit,  
945 such alteration shall be deemed a waiver of the right to such  
946 exemption until a new application, applicable with respect to such  
947 altered source, is filed and the right to such exemption is established as  
948 required initially;

949 Sec. 22. Subsection (e) of section 12-268s of the 2014 supplement to  
950 the general statutes is repealed and the following is substituted in lieu  
951 thereof (*Effective from passage*):

952 (e) The tax imposed by this section shall not apply to any net  
953 kilowatt hours of electricity generated at (1) an electric generation  
954 facility in this state exclusively through the use of fuel cells or an  
955 alternative energy system, (2) a resources recovery facility, as defined  
956 in section 22a-260, or (3) customer-side distributed resources, as  
957 defined in [subdivision (40) of] subsection (a) of section 16-1, as  
958 amended by this act.

959 Sec. 23. Section 13a-126c of the general statutes is repealed and the  
960 following is substituted in lieu thereof (*Effective from passage*):

961 Notwithstanding any provision of the general statutes, the  
962 Commissioner of Transportation may enter into an agreement with the  
963 owner or operator of a public service facility, as defined in section 13a-  
964 126, desiring the longitudinal use of the right-of-way of a state  
965 highway to accommodate trunkline or transmission-type utility  
966 facilities and to fix the terms, conditions and rates and charges for use  
967 of such right-of-way; provided, no such agreement shall exempt a  
968 public service facility from the provisions of chapter 277a. In the case  
969 of public service companies, as defined in [subdivision (1) of  
970 subsection (a) of] section 16-1, as amended by this act, such charges or  
971 rates shall not exceed the actual administrative, construction, operation  
972 and maintenance costs of the department incurred as a result of the  
973 public service company's use of a nonlimited access state highway. The  
974 department may estimate such charges or rates and require  
975 prepayment of such charges or rates, provided any amount in excess of  
976 the actual amount shall be refunded to the public service company.

977 Sec. 24. Subsection (a) of section 16a-51 of the 2014 supplement to  
978 the general statutes is repealed and the following is substituted in lieu  
979 thereof (*Effective from passage*):

980 (a) As used in this section, (1) "qualifying project" means a  
981 combined heat and power system, as described in subdivision [(44)]  
982 (38) of subsection (a) of section 16-1, as amended by this act, that (A)  
983 provides commercial, industrial or residential facilities with both  
984 electrical generation and heat output, (B) has a nameplate capacity of  
985 between five hundred and five thousand kilowatts, (C) is placed into  
986 service between January 1, 2012, and January 1, 2015, and (D) is not  
987 eligible under section 16-245hh or section 103 of public act 11-80, and  
988 (2) "electric distribution company" has the same meaning as provided  
989 in section 16-1, as amended by this act.

990 Sec. 25. Section 8-133a of the general statutes is repealed and the

991 following is substituted in lieu thereof (*Effective from passage*):

992 As used in this section, "public service facility" includes any sewer,  
993 pipe, main, conduit, cable, wire, pole, tower, building or utility  
994 appliance owned or operated by an electric distribution, gas,  
995 telephone, [telegraph,] water or community antenna television service  
996 company. Whenever a redevelopment agency determines that the  
997 closing of any street or public right-of-way is provided for in a  
998 redevelopment or renewal plan adopted and approved in accordance  
999 with section 8-127, or where the carrying out of such a redevelopment  
1000 or renewal plan, including the construction of new improvements,  
1001 requires the temporary or permanent readjustment, relocation or  
1002 removal of a public service facility from a street or public right-of-way,  
1003 the agency shall issue an appropriate order to the company owning or  
1004 operating such facility, and such company shall permanently or  
1005 temporarily readjust, relocate or remove the same promptly in  
1006 accordance with such order, provided an equitable share of the cost of  
1007 such readjustment, relocation or removal of said public service facility  
1008 located within the redevelopment area, including the cost of installing  
1009 and constructing a facility of equal capacity in a new location, shall be  
1010 borne by the redevelopment agency. Such equitable share shall be fifty  
1011 per cent of such cost after the deductions hereinafter provided. In  
1012 establishing the equitable share of the cost to be borne by the  
1013 redevelopment agency, there shall be deducted from the cost of the  
1014 readjusted, relocated or removed facilities a sum based on a  
1015 consideration of the value of materials salvaged from existing  
1016 installations, the cost of the original installation, the life expectancy of  
1017 the original facility and the unexpired term of such life use. For the  
1018 purposes of determining the equitable share of the cost of such  
1019 readjustment, relocation or removal, the books and records of the  
1020 company shall be available for the inspection of the redevelopment  
1021 agency. When any facility is removed from a street or public right-of-  
1022 way to a private right-of-way, the redevelopment agency shall not pay  
1023 for such private right-of-way. If the redevelopment agency and the  
1024 company owning or operating such facility cannot agree upon the

1025 share of the cost to be borne by the redevelopment agency, either may  
1026 apply to the superior court for the county within which the street or  
1027 public right-of-way is situated, or, if the court is not in session, to any  
1028 judge thereof, for a determination of the cost to be borne by the  
1029 redevelopment agency, and such court or such judge, after causing  
1030 notice of the pendency of such application to be given to the other  
1031 party, shall appoint a state referee to make such determination. Such  
1032 referee, having given at least ten days' notice, to the parties interested,  
1033 of the time and place of the hearing, shall hear both parties, shall take  
1034 such testimony as such referee may deem material and shall thereupon  
1035 determine the amount of the cost to be borne by the redevelopment  
1036 agency and forthwith report to the court. If the report is accepted by  
1037 the court, such determination shall, subject to right of appeal as in civil  
1038 actions, be conclusive upon such parties.

1039 Sec. 26. Section 8-194 of the general statutes is repealed and the  
1040 following is substituted in lieu thereof (*Effective from passage*):

1041 As used in this section, "public service facility" includes any sewer,  
1042 pipe, main, conduit, cable, wire, pole, tower, building or utility  
1043 appliance owned or operated by an electric distribution, gas, telephone  
1044 [, telegraph] or water company. Whenever a development agency  
1045 determines that the closing of any street or public right-of-way is  
1046 provided for in a development plan adopted and approved in  
1047 accordance with this chapter, or where the carrying out of such a  
1048 development plan, including the construction of new improvements,  
1049 requires the temporary or permanent readjustment, relocation or  
1050 removal of a public service facility from a street or public right-of-way,  
1051 the agency shall issue an appropriate order to the company owning or  
1052 operating such facility, and such company shall permanently or  
1053 temporarily readjust, relocate or remove the same promptly in  
1054 accordance with such order, provided an equitable share of the cost of  
1055 such readjustment, relocation or removal, including the cost of  
1056 installing and constructing a facility of equal capacity in a new  
1057 location, shall be borne by the development agency. Such equitable  
1058 share shall be fifty per cent of such cost after the deduction hereinafter

1059 provided. In establishing the equitable share of the cost to be borne by  
1060 the development agency, there shall be deducted from the cost of the  
1061 readjusted, relocated or removed facilities a sum based on a  
1062 consideration of the value of materials salvaged from existing  
1063 installations, the cost of the original installation, the life expectancy of  
1064 the original facility and the unexpired term of such life use. For the  
1065 purposes of determining the equitable share of the cost of such  
1066 readjustment, relocation or removal, the books and records of the  
1067 company shall be available for the inspection of the development  
1068 agency. When any facility is removed from a street or public right-of-  
1069 way to a private right-of-way, the development agency shall not pay  
1070 for such private right-of-way. If the development agency and the  
1071 company owning or operating such facility cannot agree upon the  
1072 share of the cost to be borne by the development agency, either may  
1073 apply to the superior court for the judicial district within which the  
1074 street or public right-of-way is situated, or, if the court is not in session,  
1075 to any judge thereof, for a determination of the cost to be borne by the  
1076 development agency, and such court or such judge, after causing  
1077 notice of the pendency of such application to be given to the other  
1078 party, shall appoint a state referee to make such determination. Such  
1079 referee, having given at least ten days' notice, to the parties interested,  
1080 of the time and place of the hearing, shall hear both parties, shall take  
1081 such testimony as such referee may deem material and shall thereupon  
1082 determine the amount of the cost to be borne by the development  
1083 agency and forthwith report to the court. If the report is accepted by  
1084 the court, such determination shall, subject to right of appeal as in civil  
1085 actions, be conclusive upon such parties.

1086 Sec. 27. Subsection (a) of section 8-395 of the general statutes is  
1087 repealed and the following is substituted in lieu thereof (*Effective from*  
1088 *passage*):

1089 (a) As used in this section, (1) "business firm" means any business  
1090 entity authorized to do business in the state and subject to the  
1091 corporation business tax imposed under chapter 208, or any company  
1092 subject to a tax imposed under chapter 207, or any air carrier subject to

1093 the air carriers tax imposed under chapter 209, or any railroad  
1094 company subject to the railroad companies tax imposed under chapter  
1095 210, or any regulated telecommunications service, express, [telegraph,]  
1096 cable [,] or community antenna television company subject to the  
1097 regulated telecommunications service, express, [telegraph,] cable [,]  
1098 and community antenna television companies tax imposed under  
1099 chapter 211, or any utility company subject to the utility companies tax  
1100 imposed under chapter 212, and (2) "nonprofit corporation" means a  
1101 nonprofit corporation incorporated pursuant to chapter 602 or any  
1102 predecessor statutes thereto, having as one of its purposes the  
1103 construction, rehabilitation, ownership or operation of housing and  
1104 having articles of incorporation approved by the executive director of  
1105 the Connecticut Housing Finance Authority in accordance with  
1106 regulations adopted pursuant to section 8-79a or 8-84.

1107 Sec. 28. Section 12-80 of the general statutes is repealed and the  
1108 following is substituted in lieu thereof (*Effective from passage*):

1109 Real and tangible personal property owned by any company,  
1110 including a foreign municipal electric utility as defined in section 12-  
1111 59, employed in the manufacture, transmission or distribution of gas  
1112 or electricity or both to be used for light, heat or motive power or in  
1113 the operation of a system of water works for selling or distributing  
1114 water or both for domestic or power purposes or for two or more of  
1115 such purposes shall be set in the list of each town where such property  
1116 is situated on its assessment day and shall be liable to taxation at such  
1117 percentage of its fair market value as is determined by the assessors  
1118 under the provisions of sections 12-64 and 12-71. The provisions of this  
1119 section shall not affect the provisions of section 12-76. Property subject  
1120 to taxation under the provisions of this section shall not be subject to  
1121 taxation under the provisions of sections 12-77, 12-78 and 12-79.  
1122 Railroad companies subject to taxation under the provisions of chapter  
1123 210, and express, [telegraph,] telephone and cable companies subject to  
1124 taxation under the provisions of chapter 211, shall not be subject to the  
1125 provisions of this section.

1126 Sec. 29. Section 13a-127 of the general statutes is repealed and the  
1127 following is substituted in lieu thereof (*Effective from passage*):

1128 The commissioner is authorized to contract with any person,  
1129 partnership, association or corporation, desiring the use of the project  
1130 authorized by section 13a-32, the Gold Star Memorial Bridge or the  
1131 Old Lyme and Old Saybrook Bridge, or the appurtenances and  
1132 approaches or any part of such project or bridges, for placing thereon  
1133 water, steam, gas or oil pipelines, telephone, [telegraph,] electric light  
1134 or power lines, or for any other purpose, and to fix the terms,  
1135 conditions and rates and charges for such use.

1136 Sec. 30. Section 16-32 of the general statutes is repealed and the  
1137 following is substituted in lieu thereof (*Effective from passage*):

1138 Each public service company [, except telegraph companies and  
1139 express companies subject to the jurisdiction of the Interstate  
1140 Commerce Commission or its successor agency,] shall have an annual  
1141 comprehensive audit and report made of its accounts and operations  
1142 by independent public accountants satisfactory to the Public Utilities  
1143 Regulatory Authority. A copy of such annual audit report shall be filed  
1144 with the authority, together with the company's annual report. In the  
1145 absence of such an audit report, or if the authority, after notice and  
1146 opportunity for a hearing, determines that such audit report is  
1147 insufficient or unsatisfactory, the authority shall cause such an audit to  
1148 be made at the expense of the company either by independent public  
1149 accountants satisfactory to the authority or by any staff of the authority  
1150 engaged in the activities contemplated by subsection (b) of section 16-  
1151 8, as amended by this act. The authority may waive the compliance  
1152 with the provisions of this section by any public service company  
1153 whose annual gross income is less than one hundred thousand dollars.

1154 Sec. 31. Section 16-237 of the general statutes is repealed and the  
1155 following is substituted in lieu thereof (*Effective from passage*):

1156 No person or corporation building and maintaining [telegraph,]  
1157 telephone or electric light or power wires or fixtures, or electrical

1158 wires, conductors or fixtures of any kind shall, by reason of any  
1159 occupation or use of any buildings or lands for the support of the wires  
1160 of such person or corporation, or by reason of such wires passing over  
1161 or through any buildings or lands, acquire by the continuance of such  
1162 use or occupation any prescriptive right to so occupy or use the same.  
1163 No length of possession, user or occupancy of any buildings or land, or  
1164 adverse to any easement therein or right thereto belonging to a  
1165 [telegraph,] telephone or electric [light or power corporation]  
1166 distribution company, and used or acquired for use for its corporate  
1167 purposes, shall create or continue any right in or to such land, or  
1168 adverse to any such easement.

1169 Sec. 32. Section 16-238 of the general statutes is repealed and the  
1170 following is substituted in lieu thereof (*Effective from passage*):

1171 When it is deemed necessary to cut or otherwise disconnect the  
1172 wires or fixtures of any [telegraph,] telephone, electric [light or power]  
1173 distribution company or other company or association hereinbefore  
1174 referred to, or to remove such wires from the poles or fixtures to which  
1175 they are attached, for the transportation of any object on the highway  
1176 or upon any waterway, any person or corporation may do so,  
1177 exercising reasonable care therein, after obtaining written consent of  
1178 the municipality or other authority having control over such highway  
1179 or waterway and the public service company or companies affected,  
1180 which consent may be granted under such reasonable conditions as  
1181 such municipality or other authority having such control and such  
1182 company or companies may impose. If such consent cannot be  
1183 secured, or if any of such conditions is not acceptable to the person or  
1184 corporation seeking such consent, the Public Utilities Regulatory  
1185 Authority shall, upon written application by such person or  
1186 corporation and after notice to all parties affected, determine the  
1187 necessity of such disconnection or removal and order the terms and  
1188 conditions under which it shall be made.

1189 Sec. 33. Subsection (c) of section 16-345 of the general statutes is  
1190 repealed and the following is substituted in lieu thereof (*Effective from*

1191 *passage*):

1192 (c) "Public utility" means the owner or operator of underground  
1193 facilities for furnishing electric, gas, telephone, [telegraph,] pipeline,  
1194 sewage, water, community television antenna, steam or traffic signal  
1195 service, including a municipal or other public owner or operator.

1196 Sec. 34. Section 22a-470 of the general statutes is repealed and the  
1197 following is substituted in lieu thereof (*Effective from passage*):

1198 Whenever a municipality obtains a grant under this chapter for the  
1199 construction, rebuilding, expansion or acquisition of sewers or other  
1200 pollution abatement facilities and where the carrying out of such  
1201 construction, rebuilding, expansion or acquisition requires the  
1202 temporary or permanent readjustment, relocation or removal of a  
1203 public service facility from a street or public right-of-way, the  
1204 municipality shall issue an appropriate order to the company owning  
1205 or operating such facility and such company shall permanently or  
1206 temporarily readjust, relocate or remove such facility promptly in  
1207 accordance with such order, provided an equitable share of the cost of  
1208 such readjustment, relocation or removal of said public service facility,  
1209 including the cost of installing and constructing a facility equal in  
1210 capacity in a new location, shall be borne by the municipality. Such  
1211 equitable share shall be one hundred per cent of such cost after the  
1212 deductions hereinafter provided. In establishing the equitable share of  
1213 the cost to be borne by the municipality, there shall be deducted from  
1214 the cost of the readjusted, relocated or removed facilities a sum based  
1215 on a consideration of the value of materials salvaged from existing  
1216 installations, the cost of the original installation, the life expectancy of  
1217 the original facility and the unexpired term of such useful life. For the  
1218 purposes of determining the equitable share of the cost of such  
1219 readjustment, relocation or removal, the books and records of the  
1220 company shall be available for the inspection of the municipality.  
1221 When any facility is removed from a street or public right-of-way to a  
1222 private right-of-way, the municipality shall not pay for such right-of-  
1223 way. If the municipality and the company owning or operating such

1224 facility cannot agree upon the share of the cost to be borne by the  
1225 municipality, either may apply to the superior court for the judicial  
1226 district in which the street or public right-of-way is situated or, if the  
1227 court is not in session, to any judge thereof for a determination of the  
1228 cost to be borne by the municipality, and such court or judge after  
1229 causing notice of the pendency of such application to be given to the  
1230 other party, shall appoint a state referee to make such determination.  
1231 Such referee, having given at least ten days' notice to the parties  
1232 interested of the time and place of the hearing, shall hear both parties,  
1233 shall take such testimony as such referee may deem material and shall  
1234 thereupon determine the amount of the cost to be borne by the  
1235 municipality and forthwith report to the court. If the report is accepted  
1236 by the court, such determination shall, subject to right of appeal as in  
1237 civil actions, be conclusive upon such parties. As used in this section,  
1238 "public service facility" includes any sewer, pipe, main, conduit, cable,  
1239 wire, tower, building or a utility appliance owned or operated by an  
1240 electric distribution, gas, telephone, [telegraph,] water or community  
1241 antenna television service company.

1242 Sec. 35. Subsection (a) of section 29-19 of the general statutes is  
1243 repealed and the following is substituted in lieu thereof (*Effective from*  
1244 *passage*):

1245 (a) The Commissioner of Emergency Services and Public Protection  
1246 may, upon the application of any electric distribution, gas, telephone [,  
1247 telegraph] or water company owning, leasing, maintaining, managing  
1248 or controlling any property, plant or equipment in this state,  
1249 commission, during his pleasure, one or more persons designated by  
1250 such company who, having been sworn, may act at the expense of such  
1251 company as policemen upon the premises used or occupied by such  
1252 company in its business, or upon any highway adjacent to such  
1253 premises, for the proper protection of such plant or property, and each  
1254 policeman so appointed may arrest and take before some proper  
1255 authority any person in his precinct for any offense committed therein.  
1256 Said commissioner may exercise such supervision and direction over  
1257 any policeman appointed as herein provided as he deems necessary.

1258 When any such commission is issued or revoked, said commissioner  
1259 shall notify the clerk of the superior court for each judicial district in  
1260 which it is intended that such policeman shall act.

1261 Sec. 36. Section 31-16 of the general statutes is repealed and the  
1262 following is substituted in lieu thereof (*Effective from passage*):

1263 No person under the age of eighteen years shall be employed by  
1264 any [telegraph or] messenger company, in cities having a population of  
1265 twenty thousand or over, to distribute, transmit or deliver goods or  
1266 messages between the hours of ten o'clock at night and five o'clock in  
1267 the morning. The manager of the office of any corporation who  
1268 violates any provision of this section shall be fined not more than fifty  
1269 dollars for each day of such employment. The provisions of this section  
1270 shall not apply to persons under the age of eighteen who have  
1271 graduated from a secondary educational institution.

1272 Sec. 37. Subsection (g) of section 32-224 of the 2014 supplement to  
1273 the general statutes is repealed and the following is substituted in lieu  
1274 thereof (*Effective from passage*):

1275 (g) As used in this subsection, "public service facility" includes any  
1276 sewer, pipe, main conduit, cable, wire, pole, tower, building or utility  
1277 appliance owned or operated by an electric distribution, gas, telephone  
1278 [, telegraph] or water company. Whenever an implementing agency  
1279 determines that the closing of any street or public right-of-way is  
1280 provided for in a development plan adopted and approved in  
1281 accordance with sections 32-220 to 32-234, inclusive, or where the  
1282 carrying out of such a development plan, including the construction of  
1283 new improvements, requires the temporary or permanent  
1284 readjustment, relocation or removal of a public service facility from a  
1285 street or public right-of-way, the implementing agency shall issue an  
1286 appropriate order to the company owning or operating such facility.  
1287 Such company shall permanently or temporarily readjust, relocate or  
1288 remove the public service facility promptly in accordance with such  
1289 order, provided an equitable share of the cost of such readjustment,

1290 relocation or removal, including the cost of installing and constructing  
1291 a facility of equal capacity in a new location, shall be borne by the  
1292 implementing agency. Such equitable share shall be fifty per cent of  
1293 such cost after the deduction hereinafter provided. In establishing the  
1294 equitable share of the cost to be borne by the implementing agency,  
1295 there shall be deducted from the cost of the readjusted, relocated or  
1296 removed facilities a sum based on a consideration of the value of  
1297 materials salvaged from existing installations, the cost of the original  
1298 installation, the life expectancy of the original facility and the  
1299 unexpired term of such life use. The books and records of the company  
1300 shall be made available for inspection by the implementing agency to  
1301 determine the equitable share of the cost of such readjustment,  
1302 relocation or removal. When any facility is removed from a street or  
1303 public right-of-way to a private right-of-way, the implementing agency  
1304 shall not pay for such private right-of-way. If the implementing agency  
1305 and the company owning or operating such facility cannot agree upon  
1306 the share of the cost to be borne by the implementing agency, such  
1307 agency or the company may apply to the superior court for the judicial  
1308 district within which the street or public right-of-way is situated, or, if  
1309 the court is not in session, to any judge thereof, for a determination of  
1310 the cost to be borne by the implementing agency. The court or the  
1311 judge, after causing notice of the pendency of such application to be  
1312 given to the other party, shall appoint a state referee to make such  
1313 determination. The referee, having given at least ten days' notice to the  
1314 interested parties of the time and place of the hearing, shall hear both  
1315 parties, take such testimony as he may deem material and thereupon  
1316 determine the amount of the cost to be borne by the implementing  
1317 agency. The referee shall immediately report the amount to the court.  
1318 If the report is accepted by the court, such determination shall, subject  
1319 to right of appeal as in civil actions, be conclusive upon such parties.

1320 Sec. 38. Subsection (b) of section 33-645 of the general statutes is  
1321 repealed and the following is substituted in lieu thereof (*Effective from*  
1322 *passage*):

1323 (b) No corporation formed under sections 33-600 to 33-998,

1324 inclusive, shall have power to transact in this state the business of a  
1325 [telegraph company,] gas, [electric,] electric distribution or water  
1326 company, or cemetery corporation, or of any company, except a  
1327 telephone company, requiring the right to take and condemn lands or  
1328 to occupy the public highways of this state.

1329 Sec. 39. Subsection (a) of section 33-920 of the general statutes is  
1330 repealed and the following is substituted in lieu thereof (*Effective from*  
1331 *passage*):

1332 (a) A foreign corporation, other than an insurance, surety or  
1333 indemnity company, may not transact business in this state until it  
1334 obtains a certificate of authority from the Secretary of the State. No  
1335 foreign corporation engaged in the business of a [telegraph company,]  
1336 gas, [electric,] electric distribution or water company, or cemetery  
1337 corporation, or of any company requiring the right to take and  
1338 condemn lands or to occupy the public highways of this state, and no  
1339 foreign telephone company, shall transact in this state the business  
1340 authorized by its certificate of incorporation or by the laws of the state  
1341 under which it was organized, unless empowered so to do by some  
1342 general or special act of this state, except for the purpose of carrying  
1343 out and renewing contracts existing upon August 1, 1903. No  
1344 insurance, surety or indemnity company shall transact business in this  
1345 state until it has procured a license from the Insurance Commissioner  
1346 in accordance with the provisions of section 38a-41.

1347 Sec. 40. Subsection (b) of section 33-1035 of the general statutes is  
1348 repealed and the following is substituted in lieu thereof (*Effective from*  
1349 *passage*):

1350 (b) Except as provided in subsection (f) of this section, no  
1351 corporation formed under sections 33-1000 to 33-1290, inclusive, shall,  
1352 or shall have power to, transact in this state the business of an  
1353 insurance company or a surety or indemnity company, railroad  
1354 company, [telegraph company,] gas, [electric,] electric distribution or  
1355 water company, or of any company requiring the right to take and

1356 condemn lands or to occupy the public highways of this state.

1357 Sec. 41. Subsection (a) of section 33-1210 of the general statutes is  
1358 repealed and the following is substituted in lieu thereof (*Effective from*  
1359 *passage*):

1360 (a) A foreign corporation, other than an insurance, surety or  
1361 indemnity company, may not conduct affairs in this state until it  
1362 obtains a certificate of authority from the Secretary of the State. No  
1363 foreign corporation conducting the affairs of a state bank and trust  
1364 company, savings bank or building and loan association, railroad  
1365 company, [telegraph company,] gas, [electric,] electric distribution or  
1366 water company, or of any company requiring the right to take and  
1367 condemn lands or to occupy the public highways of this state, and no  
1368 foreign telephone company, shall conduct in this state affairs  
1369 authorized by its certificate of incorporation or by the laws of the state  
1370 under which it was organized, unless empowered so to do by some  
1371 general or special act of this state, except for the purpose of carrying  
1372 out and renewing contracts existing upon August 1, 1903. No  
1373 insurance, surety or indemnity company shall conduct affairs in this  
1374 state until it has procured a license from the Insurance Commissioner  
1375 in accordance with the provisions of section 38a-41.

1376 Sec. 42. Subsection (d) of section 34-119 of the general statutes is  
1377 repealed and the following is substituted in lieu thereof (*Effective from*  
1378 *passage*):

1379 (d) No limited liability company formed under sections 34-100 to 34-  
1380 242, inclusive, shall have power to transact in this state the business of  
1381 a [telegraph company,] gas, [electric,] electric distribution or water  
1382 company, or cemetery corporation, or of any company, except a  
1383 telephone company, requiring the right to take and condemn lands or  
1384 to occupy the public highways of this state.

1385 Sec. 43. Section 52-380b of the general statutes is repealed and the  
1386 following is substituted in lieu thereof (*Effective from passage*):

1387 Any property of any [telegraph,] telephone [, electric] or electric  
1388 distribution company, or association engaged in distributing electricity  
1389 by wires or similar conductors, attached or liable to attachment under  
1390 the provisions of section 52-287, as amended by this act, may be  
1391 subjected to a lien by any person holding the legal title to an  
1392 unsatisfied judgment, whether by assignment or otherwise, against the  
1393 company or association, provided the creditor shall file a certificate in  
1394 writing in the office of the Secretary of the State in the form provided  
1395 in section 52-380a. If the lien is placed upon the property attached in  
1396 the suit upon which the judgment was predicated and within four  
1397 months after the judgment was rendered, it shall hold from the date of  
1398 the attachment. Any such lien may be foreclosed or redeemed in the  
1399 same manner as mortgages upon real property.

1400 Sec. 44. Subsection (b) of section 8-37jj of the general statutes is  
1401 repealed and the following is substituted in lieu thereof (*Effective from*  
1402 *passage*):

1403 (b) If the Department of Housing or the Connecticut Housing  
1404 Finance Authority uses electric resistance space heating as the primary  
1405 heating source in any new construction, it shall construct the unit in  
1406 such a way as to be eligible for any available energy conservation  
1407 incentives provided by the electric distribution company, as defined in  
1408 section 16-1, as amended by this act, or the municipal utility furnishing  
1409 electric service to such unit.

1410 Sec. 45. Subdivision (13) of subsection (b) of section 9-601a of the  
1411 2014 supplement to the general statutes is repealed and the following  
1412 is substituted in lieu thereof (*Effective from passage*):

1413 (13) The advance of a security deposit by an individual to a  
1414 telephone company, as defined in section 16-1, as amended by this act,  
1415 for telecommunications service for a committee or to another utility  
1416 company, such as an electric distribution company, provided the  
1417 security deposit is refunded to the individual;

1418 Sec. 46. Subparagraph (A) of subdivision (20) of subsection (a) of

1419 section 12-213 of the general statutes is repealed and the following is  
1420 substituted in lieu thereof (*Effective from passage*):

1421 (20) (A) "Carrying on or doing business" means and includes each  
1422 and every act, power or privilege exercised or enjoyed in this state, as  
1423 an incident to, or by virtue of, the powers and privileges acquired by  
1424 the nature of any organization whether the form of existence is  
1425 corporate, associate, joint stock company or fiduciary, and includes the  
1426 direct or indirect engaging in, transacting or conducting of activity in  
1427 this state by an electric supplier, as defined in section 16-1, as amended  
1428 by this act, or generation entity or affiliate, as defined in section 16-1,  
1429 as amended by this act, for the purpose of establishing or maintaining  
1430 a market for the sale of electricity or of electric generation services, as  
1431 defined in section 16-1, as amended by this act, to end use customers  
1432 located in this state through the use of the transmission or distribution  
1433 facilities of an electric distribution company, as defined in section 16-1,  
1434 as amended by this act; [, or, until unbundled in accordance with  
1435 section 16-244e, electric company, as defined in section 16-1;]

1436 Sec. 47. Subsection (b) of section 12-265 of the general statutes is  
1437 repealed and the following is substituted in lieu thereof (*Effective from*  
1438 *passage*):

1439 (b) (1) Each company and municipal utility included in section 12-  
1440 264, other than an electric distribution company, as defined in section  
1441 16-1, as amended by this act, included in subsection (c) of section 12-  
1442 264, and other than a municipality, or department or agency thereof, or  
1443 district manufacturing, selling or distributing electricity to be used for  
1444 light, heat or power, shall be taxed at the rate of five per cent upon the  
1445 amount of gross earnings in each taxable quarter from operations,  
1446 except as set forth in subsection (c) or (d) of this section and except that  
1447 each company and municipal utility manufacturing, selling or  
1448 distributing gas or electricity to be used for light, heat or power shall  
1449 be taxed at the rate of four per cent upon the amount of gross earnings  
1450 in each taxable quarter allocable to residential service, but deduction  
1451 shall be made of gross earnings (A) from all sales for resale of water,

1452 steam, gas and electricity to public service corporations and municipal  
1453 utilities, whether or not such purchasers are Connecticut public service  
1454 corporations or Connecticut municipal utilities, and whether or not  
1455 they are subject to the tax imposed by this chapter, (B) from any  
1456 federal BTU energy tax included in adjustment clause and base-rate  
1457 revenues, (C) from sales of appliances using water, steam, gas or  
1458 electricity by each such company of the net invoice price plus  
1459 transportation costs of such appliances, (D) of electric distribution and  
1460 gas companies, as defined in section 16-1, as amended by this act, from  
1461 energy conservation loan programs, (E) from all sales for resale of gas  
1462 to companies registered pursuant to section 16-258a, and (F) from all  
1463 sales of natural gas to a user or entity located outside the state.

1464 (2) Gross earnings for any taxable quarter, for the purposes of  
1465 assessment and taxation, shall be as follows: (A) In the case of a  
1466 company or municipal utility, other than a municipality, or  
1467 department or agency thereof, or district manufacturing, selling or  
1468 distributing electricity to be used for light, heat or power, carrying on  
1469 business or operating entirely within this state, the amount of gross  
1470 earnings from operations; (B) in the case of a company or municipal  
1471 utility, other than a municipality, or department or agency thereof, or  
1472 district manufacturing, selling or distributing electricity to be used for  
1473 light, heat or power, carrying on business or operations a part of which  
1474 is outside of this state, (i) such portion of the amount of gross earnings  
1475 from operations determined under the provisions of section 12-264 as  
1476 is represented by the ratio of the number of miles of water or steam  
1477 pipes, gas mains or electric wires operated by such company or  
1478 municipal utility within this state on the first day and on the last day  
1479 of the calendar year immediately preceding to the total number of  
1480 miles of water or steam pipes, gas mains or electric wires operated by  
1481 such company or municipal utility on said dates; or (ii) in the case of a  
1482 company required to register pursuant to section 16-258a, such portion  
1483 of the amount of gross earnings from operations determined under the  
1484 provisions of section 12-264 as is represented by the ratio of the sales in  
1485 this state to end users during such quarter to the total sales

1486 everywhere to end users during such quarter.

1487 Sec. 48. Subdivision (4) of subsection (b) of section 16-8 of the 2014  
1488 supplement to the general statutes is repealed and the following is  
1489 substituted in lieu thereof (*Effective from passage*):

1490 (4) A complete audit of each portion of each gas [, electric] company  
1491 or electric distribution company having more than seventy-five  
1492 thousand customers shall begin no less frequently than every six years,  
1493 so that a complete audit of such a company's operations shall be  
1494 performed every six years. Such an audit of each such company having  
1495 more than seventy-five thousand customers shall be updated as  
1496 required by the authority.

1497 Sec. 49. Subsection (a) of section 16-11a of the general statutes is  
1498 repealed and the following is substituted in lieu thereof (*Effective from*  
1499 *passage*):

1500 (a) There is established a Nuclear Energy Advisory Council which  
1501 shall (1) hold regular public meetings for the purpose of discussing  
1502 issues relating to the safety and operation of the nuclear power  
1503 generating facilities located in this state and to advise the Governor,  
1504 the General Assembly and municipalities within a five-mile radius of  
1505 any nuclear power generating facility in this state of such issues, (2)  
1506 work in conjunction with agencies of the federal, state and local  
1507 governments [and with any electric company operating a nuclear  
1508 power generating facility] to ensure the public health and safety, (3)  
1509 discuss proposed changes in or problems arising from the operation of  
1510 a nuclear power generating facility, (4) communicate with any  
1511 [electric] company operating a nuclear power generating facility about  
1512 safety or operational concerns at the facility, which communications  
1513 may include, but not be limited to, receipt of written reports and  
1514 presentations to the council, and (5) review the current status of  
1515 facilities with the Nuclear Regulatory Commission.

1516 Sec. 50. Subsection (a) of section 16-19 of the 2014 supplement to the  
1517 general statutes is repealed and the following is substituted in lieu

1518 thereof (*Effective from passage*):

1519 (a) No public service company may charge rates in excess of those  
1520 previously approved by the Public Utilities Control Authority or the  
1521 Public Utilities Regulatory Authority, except that any rate approved by  
1522 the Public Utilities Commission, the Public Utilities Control Authority  
1523 or the Public Utilities Regulatory Authority shall be permitted until  
1524 amended by the Public Utilities Regulatory Authority, that rates not  
1525 approved by the Public Utilities Regulatory Authority may be charged  
1526 pursuant to subsection (b) of this section, and that the hearing  
1527 requirements with respect to adjustment clauses are as set forth in  
1528 section 16-19b, as amended by this act. For water companies, existing  
1529 rates shall include the amount of any adjustments approved pursuant  
1530 to section 16-262w since the company's most recent general rate case,  
1531 provided any adjustment amount shall be separately identified in any  
1532 customer bill. Each public service company shall file any proposed  
1533 amendment of its existing rates with the authority in such form and in  
1534 accordance with such reasonable regulations as the authority may  
1535 prescribe. Each [electric,] electric distribution, gas or telephone  
1536 company filing a proposed amendment shall also file with the  
1537 authority an estimate of the effects of the amendment, for various  
1538 levels of consumption, on the household budgets of high and  
1539 moderate income customers and customers having household incomes  
1540 not more than one hundred fifty per cent of the federal poverty level.  
1541 Each [electric and] electric distribution company shall also file such an  
1542 estimate for space heating customers. Each water company, except a  
1543 water company that provides water to its customers less than six  
1544 consecutive months in a calendar year, filing a proposed amendment,  
1545 shall also file with the authority a plan for promoting water  
1546 conservation by customers in such form and in accordance with a  
1547 memorandum of understanding entered into by the authority  
1548 pursuant to section 4-67e. Each public service company shall notify  
1549 each customer who would be affected by the proposed amendment, by  
1550 mail, at least one week prior to the first public hearing thereon, but not  
1551 earlier than six weeks prior to such first public hearing, that an

1552 amendment has been or will be requested. Such notice shall also  
1553 indicate (1) the date, time and location of any scheduled public  
1554 hearing, (2) a statement that customers may provide written comments  
1555 regarding the proposed amendment to the Public Utilities Regulatory  
1556 Authority or appear in person at any scheduled public hearing, (3) the  
1557 Public Utilities Regulatory Authority telephone number for obtaining  
1558 information concerning the schedule for public hearings on the  
1559 proposed amendment, and (4) whether the proposed amendment  
1560 would, in the company's best estimate, increase any rate or charge by  
1561 twenty per cent or more, and, if so, describe in general terms any such  
1562 rate or charge and the amount of the proposed increase, provided no  
1563 such company shall be required to provide more than one form of the  
1564 notice to each class of its customers. In the case of a proposed  
1565 amendment to the rates of any public service company, the authority  
1566 shall hold one or more public hearings thereon, except as permitted  
1567 with respect to interim rate amendments by subsections (d) and (g) of  
1568 this section, and shall make such investigation of such proposed  
1569 amendment of rates as is necessary to determine whether such rates  
1570 conform to the principles and guidelines set forth in section 16-19e, as  
1571 amended by this act, or are unreasonably discriminatory or more or  
1572 less than just, reasonable and adequate, or that the service furnished by  
1573 such company is inadequate to or in excess of public necessity and  
1574 convenience. The authority, if in its opinion such action appears  
1575 necessary or suitable in the public interest may, and, upon written  
1576 petition or complaint of the state, under direction of the Governor,  
1577 shall, make the aforesaid investigation of any such proposed  
1578 amendment which does not involve an alteration in rates. If the  
1579 authority finds any proposed amendment of rates to not conform to  
1580 the principles and guidelines set forth in section 16-19e, as amended by  
1581 this act, or to be unreasonably discriminatory or more or less than just,  
1582 reasonable and adequate to enable such company to provide properly  
1583 for the public convenience, necessity and welfare, or the service to be  
1584 inadequate or excessive, it shall determine and prescribe, as  
1585 appropriate, an adequate service to be furnished or just and reasonable  
1586 maximum rates and charges to be made by such company. In the case

1587 of a proposed amendment filed by an [electric,] electric distribution,  
1588 gas or telephone company, the authority shall also adjust the estimate  
1589 filed under this subsection of the effects of the amendment on the  
1590 household budgets of the company's customers, in accordance with the  
1591 rates and charges approved by the authority. The authority shall issue  
1592 a final decision on each rate filing within one hundred fifty days from  
1593 the proposed effective date thereof, provided it may, before the end of  
1594 such period and upon notifying all parties and intervenors to the  
1595 proceedings, extend the period by thirty days.

1596 Sec. 51. Section 16-19a of the general statutes is repealed and the  
1597 following is substituted in lieu thereof (*Effective from passage*):

1598 (a) (1) The Public Utilities Regulatory Authority shall, at intervals of  
1599 not more than four years from the last previous general rate hearing of  
1600 each gas [, electric] and electric distribution company having more  
1601 than seventy-five thousand customers, conduct a complete review and  
1602 investigation of the financial and operating records of each such  
1603 company and hold a public hearing to determine whether the rates of  
1604 each such company are unreasonably discriminatory or more or less  
1605 than just, reasonable and adequate, or that the service furnished by  
1606 such company is inadequate to or in excess of public necessity and  
1607 convenience or that the rates do not conform to the principles and  
1608 guidelines set forth in section 16-19e, as amended by this act. In  
1609 making such determination, the authority shall consider the gross and  
1610 net earnings of such company since its last previous general rate  
1611 hearing, its retained earnings, its actual and proposed capital  
1612 expenditures, its advertising expenses, the dividends paid to its  
1613 stockholders, the rate of return paid on its preferred stock, bonds,  
1614 debentures and other obligations, its credit rating, and such other  
1615 financial and operating information as the authority may deem  
1616 pertinent.

1617 (2) The authority may conduct a general rate hearing in accordance  
1618 with subsection (a) of section 16-19, as amended by this act, in lieu of  
1619 the periodic review and investigation proceedings required under

1620 subdivision (1) of this subsection.

1621 (b) In the proceeding required under subdivision (1) of subsection  
1622 (a) of this section, the authority may approve performance-based  
1623 incentives to encourage a gas or electric distribution company to  
1624 operate efficiently and provide high quality service at fair and  
1625 reasonable prices. Notwithstanding subsection (a) of this section, if the  
1626 authority approves such performance-based incentives for a particular  
1627 company, the authority shall include in such approval a framework for  
1628 periodic monitoring and review of the company's performance in  
1629 regard to criteria specified by the authority, which shall include, but  
1630 not be limited to, the company's return on equity, reliability and  
1631 quality of service. The authority's periodic monitoring and review shall  
1632 be used in lieu of the periodic review and investigation proceedings  
1633 required under subdivision (1) of subsection (a) of this section. If the  
1634 authority determines in the periodic monitoring and review that a  
1635 more extensive review of company performance is necessary, the  
1636 authority may institute a further proceeding in accordance with the  
1637 purposes of this chapter, including a complete review and  
1638 investigation described in subdivision (1) of subsection (a) of this  
1639 section.

1640 Sec. 52. Subsection (c) of section 16-19b of the 2014 supplement to  
1641 the general statutes is repealed and the following is substituted in lieu  
1642 thereof (*Effective from passage*):

1643 (c) If the authority, after notice and hearing, determines that the  
1644 adoption of an energy adjustment clause would protect the interests of  
1645 ratepayers of an electric distribution company, ensure economy and  
1646 efficiency in energy production and purchase by the electric  
1647 distribution company and achieve the objectives set forth in subsection  
1648 (a) of section 16-19, as amended by this act, and in section 16-19e, as  
1649 amended by this act, better than would the continued operation of a  
1650 fuel adjustment clause and a generation utilization adjustment clause,  
1651 the authority shall approve an energy adjustment clause to be  
1652 superimposed upon the existing rate schedule of the electric

1653 distribution company. The authority shall design any such energy  
1654 adjustment clause to reflect cost-efficient energy resource procurement  
1655 and to recover the costs of energy that are proper for rate-making  
1656 purposes and for which the authority has not authorized recovery  
1657 through base rates. These costs, reflecting prudent and efficient  
1658 management and operations, may include, but are not limited to, the  
1659 costs of oil, gas, coal, nuclear fuel, wood or other fuels, and energy  
1660 transactions with other utilities, nonutility generators or power pools,  
1661 all or part of the cost of conservation and load management, and the  
1662 gross earnings tax imposed by section 12-264 on the revenues from the  
1663 energy sources subject to the energy adjustment clause. The authority  
1664 shall design the energy adjustment clause to provide for recovery of  
1665 energy costs prudently incurred by an electric distribution company in  
1666 accordance with section 16-19e, as amended by this act.  
1667 Notwithstanding the provisions of section 16-19, as amended by this  
1668 act, the authority shall change an energy adjustment clause in  
1669 accordance with the provisions of subsections (e) and (h) of this  
1670 section. An energy adjustment clause approved pursuant to this  
1671 section shall apply to all electric distribution companies similarly  
1672 affected by the costs which form the basis for the adjustment clause.

1673 Sec. 53. Subsection (e) of section 16-19b of the 2014 supplement to  
1674 the general statutes is repealed and the following is substituted in lieu  
1675 thereof (*Effective from passage*):

1676 (e) No proposed purchased gas adjustment, energy adjustment  
1677 charge or credit or transmission rate shall become effective until the  
1678 Public Utilities Regulatory Authority has approved such charges or  
1679 credits pursuant to an administrative proceeding. Such an  
1680 administrative proceeding shall be open to the public and shall be  
1681 convened within ten days of the filing of an application by an electric  
1682 distribution or gas company requesting such a proceeding. Notice of  
1683 such application and proceeding shall be published at least five days  
1684 prior to such proceeding in a newspaper of general circulation in the  
1685 area served by such company. The authority shall receive and consider  
1686 comments of interested persons and members of the public at such a

1687 proceeding, which shall not be considered a contested case for  
1688 purposes of title 4, this title or any regulation adopted thereunder. Any  
1689 approval or denial of the authority pursuant to this subsection shall  
1690 not be deemed an order, authorization or decision of the authority for  
1691 purposes of section 16-35. After notice and hearing, the authority shall  
1692 adopt regulations, in accordance with chapter 54, which shall include  
1693 the requirements of the filing to support the requested charge or credit.  
1694 Notwithstanding the provisions of this section, in the event that the  
1695 authority has not rendered an approval or denial concerning any such  
1696 application within five days of the day the administrative proceeding  
1697 shall have been convened, the proposed charges or credits (1) shall  
1698 become effective at the option of the company pending the authority's  
1699 finding with respect to such charges, or (2) in the discretion of the  
1700 authority, may become effective upon the filing by the company with  
1701 the authority of an assurance. Such assurance may include a bond with  
1702 surety, and shall satisfy the authority of the company's ability and  
1703 willingness to refund to its customers any such amounts as the  
1704 company may collect from them in excess of the charges approved by  
1705 the authority in its finding.

1706 Sec. 54. Subsections (j) to (l), inclusive, of section 16-19b of the 2014  
1707 supplement to the general statutes are repealed and the following is  
1708 substituted in lieu thereof (*Effective from passage*):

1709 (j) Any purchased gas adjustment clause or energy adjustment  
1710 clause approved by the authority may include a provision designed to  
1711 allow the electric distribution or gas company to charge or reimburse  
1712 the customer for any under-recovery or over-recovery of overhead and  
1713 fixed costs due solely to the deviation of actual retail sales of electricity  
1714 or gas from projected retail sales of electricity or gas. The authority  
1715 shall include such provision in any energy adjustment clause approved  
1716 for an electric distribution company if it determines (1) that a  
1717 significant cause of excess earnings by the electric distribution  
1718 company is an increase in actual retail sales of electricity over projected  
1719 retail sales of electricity as determined at the time of the electric  
1720 distribution company's most recent rate amendment, and (2) that such

1721 provision is likely to benefit the customers of the electric distribution  
1722 company.

1723 [(k) Notwithstanding the provisions of this section, an approved  
1724 fossil fuel adjustment clause or generation utilization adjustment  
1725 clause in effect for an electric company on July 1, 1995, shall remain in  
1726 effect in its form and method of operation as of said date until the  
1727 authority has approved an energy adjustment clause for the company  
1728 and the approved energy adjustment clause is in effect.]

1729 [(l)] (k) Notwithstanding the provisions of this section, upon the  
1730 application of any gas company, the authority may modify, suspend or  
1731 discontinue a purchased gas adjustment clause for one or more gas  
1732 companies if the authority determines that as part of an overall  
1733 performance-based rate plan, such modification, suspension or  
1734 discontinuance will ensure safety and reliability, will provide  
1735 substantial financial benefits to ratepayers at least equal to those  
1736 provided to the gas company and will lower the rates below what they  
1737 would be without such modification, suspension or discontinuance, as  
1738 determined by the authority.

1739 Sec. 55. Subsection (b) of section 16-19d of the general statutes is  
1740 repealed and the following is substituted in lieu thereof (*Effective from*  
1741 *passage*):

1742 (b) The cost of political, institutional or promotional advertising of  
1743 any gas [, electric] company or electric distribution company and the  
1744 cost of political or institutional advertising of any telephone company  
1745 shall not be deemed to be an operating expense in any rate schedule  
1746 proceedings held pursuant to section 16-19, as amended by this act.  
1747 For the purposes of this section, political, institutional or promotional  
1748 advertising shall not be deemed to include reasonable expenditures for  
1749 (1) the publication or distribution of existing or proposed tariffs or rate  
1750 schedules; (2) notices required by law or regulation; (3) public  
1751 information regarding service interruptions, safety measures,  
1752 emergency conditions, employment opportunities or the means by

1753 which customers can conserve energy or make efficient and  
1754 economical use of service; (4) the promotion or marketing of efficient  
1755 gas and electric equipment which the Public Utilities Regulatory  
1756 Authority determines: (A) Is consistent with the state's energy policy;  
1757 (B) is consistent with integrated resource planning principles; (C)  
1758 provides net economic benefit to such company's customers; and (D)  
1759 shall not have the primary purpose of promoting one fuel over  
1760 another; or (5) advertising by a gas company that is necessary as a  
1761 result of competition created by actions and decisions of the Federal  
1762 Energy Regulatory Commission and the Public Utilities Regulatory  
1763 Authority. Such advertising shall be limited to the express purpose of  
1764 promoting gas companies in competition with other providers and  
1765 marketers of natural gas. Such advertising shall not include any  
1766 promotions, cash, equipment, installation or service subsidies for the  
1767 conversion to natural gas from any other energy source.

1768 Sec. 56. Subsection (f) of section 16-19d of the general statutes is  
1769 repealed and the following is substituted in lieu thereof (*Effective from*  
1770 *passage*):

1771 (f) Each gas [, electric] or electric distribution company shall  
1772 conspicuously indicate in all of its advertising whether the costs of the  
1773 advertising are being paid for by the company's shareholders, its  
1774 customers or both.

1775 Sec. 57. Subsections (b) to (d), inclusive, of section 16-19e of the 2014  
1776 supplement to the general statutes are repealed and the following is  
1777 substituted in lieu thereof (*Effective from passage*):

1778 (b) The Public Utilities Regulatory Authority shall promptly  
1779 undertake a separate, general investigation of, and shall hold at least  
1780 one public hearing on new pricing principles and rate structures for  
1781 electric distribution companies and for gas companies to consider,  
1782 without limitation, long run incremental cost of marginal cost pricing,  
1783 peak load or time of day pricing and proposals for optimizing the  
1784 utilization of energy and restraining its wasteful use and encouraging

1785 energy conservation, and any other matter with respect to pricing  
1786 principles and rate structures as the authority shall deem appropriate.  
1787 The authority shall determine whether existing or future rate  
1788 structures place an undue burden upon those persons of poverty  
1789 status and shall make such adjustment in the rate structure as is  
1790 necessary or desirable to take account of their indigency. The authority  
1791 shall require the utilization of such new principles and structures to  
1792 the extent that the authority determines that their implementation is in  
1793 the public interest, as identified by the Department of Energy and  
1794 Environmental Protection in the Integrated Resources Plan and the  
1795 Comprehensive Energy Strategy, and necessary or desirable to  
1796 accomplish the purposes of this provision without being unfair or  
1797 discriminatory or unduly burdensome or disruptive to any group or  
1798 class of customers, and determines that such principles and structures  
1799 are capable of yielding required revenues. In reviewing the rates and  
1800 rate structures of electric and gas companies, the authority shall be  
1801 guided by the goals of the Department of Energy and Environmental  
1802 Protection, as described in section 22a-2d, the Comprehensive Energy  
1803 Strategy, the Integrated Resources Plan and the Conservation and  
1804 Load Management Plan. The authority shall issue its initial findings on  
1805 such investigation by December 1, 1976, and its final findings and  
1806 order by June 1, 1977; provided that after such final findings and order  
1807 are issued, the authority shall at least once every two years undertake  
1808 such further investigations as it deems appropriate with respect to new  
1809 developments or desirable modifications in pricing principles and rate  
1810 structures and, after holding at least one public hearing thereon, shall  
1811 issue its findings and order thereon.

1812 (c) The Department of Energy and Environmental Protection shall  
1813 coordinate and integrate its actions, decisions and policies pertaining  
1814 to gas and electric distribution companies, so far as possible, with the  
1815 actions, decisions and policies of other agencies and instrumentalities  
1816 in order to further the development and optimum use of the state's  
1817 energy resources and conform to the greatest practicable extent with  
1818 the state energy policy as stated in section 16a-35k, the Comprehensive

1819 Energy Strategy and the Integrated Resources Plan taking into account  
1820 prudent management of the natural environment and continued  
1821 promotion of economic development within the state. The department  
1822 shall defer, as appropriate, to any actions taken by other agencies and  
1823 instrumentalities on matters within their respective jurisdictions.

1824 (d) The Commissioner of Energy and Environmental Protection, the  
1825 Commissioner of Economic and Community Development, and the  
1826 Connecticut Siting Council may be made parties to each proceeding on  
1827 a rate amendment proposed by a gas [, electric] or electric distribution  
1828 company and shall participate in such proceedings to the extent  
1829 necessary.

1830 Sec. 58. Section 16-19bb of the general statutes is repealed and the  
1831 following is substituted in lieu thereof (*Effective from passage*):

1832 The Public Utilities Regulatory Authority shall require that any  
1833 funds held by an [electric or] electric distribution company in excess of  
1834 the company's authorized return on equity, which funds are intended  
1835 by the authority to offset future rate increases in lieu of a present rate  
1836 decrease, shall be applied to such rate increases or shall be refunded to  
1837 the company's customers [not later than July 1, 1988. Any such funds  
1838 collected by the company after July 1, 1988, shall be applied to offset  
1839 such rate increases or refunded to the company's customers] within  
1840 one year of receipt.

1841 Sec. 59. Section 16-19ee of the general statutes is repealed and the  
1842 following is substituted in lieu thereof (*Effective from passage*):

1843 Each [electric or] electric distribution company [with more than  
1844 seventy-five thousand customers,] shall, in its periodic report to the  
1845 Public Utilities Regulatory Authority, concerning electrical outages,  
1846 indicate which outages resulted from a power surge.

1847 Sec. 60. Subsection (a) of section 16-19ff of the 2014 supplement to  
1848 the general statutes is repealed and the following is substituted in lieu  
1849 thereof (*Effective from passage*):

1850 (a) Notwithstanding any provisions of the general statutes to the  
1851 contrary, each [electric company or] electric distribution company shall  
1852 allow the installation of submeters at (1) a recreational campground,  
1853 (2) individual slips at marinas for metering the electric use by  
1854 individual boat owners, (3) commercial, industrial, multifamily  
1855 residential or multiuse buildings where the electric power or thermal  
1856 energy is provided by a Class I renewable energy source, as defined in  
1857 section 16-1, as amended by this act, or a combined heat and power  
1858 system, as defined in section 16-1, as amended by this act, or (4) in any  
1859 other location as approved by the authority where submetering  
1860 promotes the state's energy goals, as described in the Comprehensive  
1861 Energy Strategy, while protecting consumers against termination of  
1862 residential utility service or other related issues. Each entity approved  
1863 to submeter by the Public Utilities Regulatory Authority, pursuant to  
1864 subsection (c) of this section, shall provide electricity to any allowed  
1865 facility, as described in this subsection, at a rate no greater than the  
1866 rate charged to that customer class for the service territory in which  
1867 such allowed facility is located, provided nothing in this section shall  
1868 permit such entity to charge a submetered account for (A) usage for  
1869 any common areas of a commercial, industrial or multifamily  
1870 residential building, or (B) other usage not solely for use by such  
1871 account.

1872 Sec. 61. Subsection (b) of section 16-19hh of the 2014 supplement to  
1873 the general statutes is repealed and the following is substituted in lieu  
1874 thereof (*Effective from passage*):

1875 (b) Notwithstanding the provisions of subsection (a) of this section,  
1876 an [electric company or] electric distribution company that (1)  
1877 renegotiates, extends or renews any special contract for electric service  
1878 that is in effect on July 1, 2000, and has a term that expires prior to July  
1879 1, 2000, for a term that extends beyond June 30, 2000, or (2) enters into  
1880 any new special contracts for electric service, shall provide in any such  
1881 renegotiated, extended, renewed or new contract for the collection of  
1882 the assessment required under section 16-245g, as amended by this act,  
1883 as provided in said section 16-245g and for the collection of the charge

1884 required in section 16-245l, as amended by this act, as provided in said  
1885 section 16-245l, provided no such contract shall shift costs to other  
1886 ratepayers.

1887 Sec. 62. Subsections (a) and (b) of section 16-19kk of the 2014  
1888 supplement to the general statutes are repealed and the following is  
1889 substituted in lieu thereof (*Effective from passage*):

1890 (a) The General Assembly finds that if the earnings of electric, gas,  
1891 telephone and water public service companies, as defined in section  
1892 16-1, as amended by this act, are adversely affected by such companies'  
1893 conservation and load management programs or other programs  
1894 promoting the state's economic development, energy and other policy,  
1895 those companies will have a disincentive to implement such programs.  
1896 The General Assembly further finds that in order to further the  
1897 implementation of such programs the earnings of electric, gas,  
1898 telephone and water public service companies should be consistent  
1899 with the principles and guidelines set forth in this section and sections  
1900 16-19e, as amended by this act, and [16-19kk] 16-19ll to 16-19oo,  
1901 inclusive, as amended by this act, and 16a-49 notwithstanding  
1902 participation in conservation and load management programs and  
1903 other programs authorized by the Public Utilities Regulatory  
1904 Authority, promoting the state's economic development, energy and  
1905 other policy.

1906 (b) [The authority shall complete, on or before December 31, 1991,  
1907 an investigation into the relationship between a company's volume of  
1908 sales and its earnings.] The authority shall, on or before July 1, 1993,  
1909 implement rate-making and other procedures and practices in order to  
1910 encourage the implementation of conservation and load management  
1911 programs and other programs authorized by the authority promoting  
1912 the state's economic development, energy and other policy. Such  
1913 procedures to implement a modification or elimination of any direct  
1914 relationship between the volume of sales and the earnings of electric,  
1915 gas, telephone and water public service companies may include the  
1916 adoption of a sales adjustment clause pursuant to subsection (j) of

1917 section 16-19b, as amended by this act, or other adjustment clause  
1918 similar thereto. [The authority's investigation shall include a review of  
1919 its regulations and policies to identify any existing disincentives to the  
1920 development and implementation of cost effective conservation and  
1921 load management programs and other programs promoting the state's  
1922 economic development, energy and other policy.]

1923 Sec. 63. Section 16-19oo of the 2014 supplement to the general  
1924 statutes is repealed and the following is substituted in lieu thereof  
1925 (*Effective from passage*):

1926 In order to promote an electric distribution, gas, telephone and  
1927 water company's conservation and load management programs or  
1928 other programs promoting the state's economic development, energy  
1929 and other policy, the Public Utilities Regulatory Authority may  
1930 approve rate amendments for any such company, pursuant to  
1931 subsection (a) of section 16-19, as amended by this act, or, upon the  
1932 request of a company in a proceeding, other than a rate proceeding  
1933 pursuant to said subsection. Upon filing by a gas company of a natural  
1934 gas infrastructure expansion plan in accordance with section 16-19ww,  
1935 the authority may approve in a contested proceeding new rate  
1936 mechanisms to recover the costs of such plan.

1937 Sec. 64. Section 16-19rr of the general statutes is repealed and the  
1938 following is substituted in lieu thereof (*Effective from passage*):

1939 Each [electric company, each] municipal electric utility established  
1940 under chapter 101 and each electric utility owned, leased, maintained,  
1941 operated, managed or controlled by any unit of local government  
1942 under any general statute or special act shall, upon request, provide  
1943 electricity and each electric distribution company shall, upon request,  
1944 provide electric distribution services to military veterans' posts and  
1945 organizations that are exempt from federal taxation under Section  
1946 501(c) of the Internal Revenue Code of 1986, or any subsequent  
1947 corresponding internal revenue code of the United States, as from time  
1948 to time amended, at the lesser of the residential or commercial rate for

1949 the service territory in which the facility is located, provided such rates  
1950 are not inconsistent with said chapter 101 or any municipal charter or  
1951 ordinance adopted pursuant thereto, or with any such special act.

1952 Sec. 65. Section 16-19uu of the general statutes is repealed and the  
1953 following is substituted in lieu thereof (*Effective from passage*):

1954 (a) At such time as economic recovery revenue bonds are issued to  
1955 fund the economic recovery transfer, the Public Utilities Regulatory  
1956 Authority shall ensure that the competitive transition assessment  
1957 charged to customers of each [electric company or] electric distribution  
1958 company is adjusted to reflect the lower charge to be paid by  
1959 customers. No [electric company or] electric distribution company may  
1960 bill any customer an amount for the competitive transition assessment  
1961 that is in excess of the amount necessary to fund the economic  
1962 recovery transfer.

1963 (b) At such time as the competitive transition assessment charged to  
1964 customers has allowed full or partial recovery by the financing entity  
1965 of any economic recovery revenue bonds and full or partial recovery  
1966 by the [electric company or] electric distribution company of stranded  
1967 costs not funded with the proceeds of economic recovery revenue  
1968 bonds, the authority shall ensure that the competitive transition  
1969 assessment charged to customers of each [electric company or] electric  
1970 distribution company is adjusted to reflect, in the case of a partial  
1971 recovery, the lower charge to be paid by customers, and, in the case of  
1972 a full recovery, the absence of such assessment. No [electric company  
1973 or] electric distribution company may bill any customer an amount for  
1974 the competitive transition assessment that is in excess of the amount  
1975 necessary to fund economic recovery revenue bonds or stranded costs.

1976 Sec. 66. Subsection (a) of section 16-32c of the general statutes is  
1977 repealed and the following is substituted in lieu thereof (*Effective from  
1978 passage*):

1979 (a) Notwithstanding the provisions of section 16-19, as amended by  
1980 this act, a water company, as defined in section 16-1, as amended by

1981 this act, may charge rates in excess of or less than those approved by  
1982 the Public Utilities Regulatory Authority, after a limited hearing as  
1983 deemed appropriate by the authority, by adjusting existing rates to  
1984 compensate for increases or decreases only in the company's following  
1985 expenses: (1) The price of water purchased for redistribution to its  
1986 customers from another water company or governmental authority  
1987 whose rates have been adjusted; (2) the price of gas or electricity  
1988 purchased from a gas [, electric] or electric distribution company,  
1989 electric supplier or governmental authority whose rates have been  
1990 adjusted; (3) federal, state and local taxes or other government  
1991 assessments on revenue, income or property; (4) fees charged by any  
1992 federal or state agency or other government entity that has jurisdiction  
1993 over the company; (5) fees, or changes in fees, charged for federal and  
1994 state mandated monitoring of the quality of the company's water  
1995 supply; and (6) changes in expenses due to inflation that, in the  
1996 opinion of the authority, are subject to an inflation adjustment in rate  
1997 schedule proceedings held pursuant to section 16-19, as amended by  
1998 this act. The amount of any adjustment of rates shall not exceed the  
1999 aggregate net amount of increases and decreases in the expenses set  
2000 forth in this subsection on an annualized basis, provided that such  
2001 adjustment shall not cause the company's projected return on equity  
2002 for the following twelve-month period to exceed the return on equity  
2003 authorized in the company's most recent proceeding for an  
2004 amendment of rates pursuant to section 16-19, as amended by this act.  
2005 A company may adjust its rates pursuant to this section only (A) when  
2006 the aggregate effect of increases or decreases in such expenses equals  
2007 or exceeds one half of one per cent of the company's operating  
2008 revenues for the twelve-month period commencing after the authority  
2009 issued a decision on the company's most recent application for an  
2010 amendment of rates pursuant to section 16-19, as amended by this act,  
2011 and (B) once in any twelve-month period. A company shall not adjust  
2012 its rates pursuant to this section in any twelve-month period following  
2013 approval of an amendment of rates by the authority pursuant to  
2014 section 16-19, as amended by this act.

2015 Sec. 67. Section 16-32g of the general statutes is repealed and the  
2016 following is substituted in lieu thereof (*Effective from passage*):

2017 Not later than January 1, 2008, and annually thereafter, each [electric  
2018 or] electric distribution company shall submit to the Public Utilities  
2019 Regulatory Authority a plan for the maintenance of poles, wires,  
2020 conduits or other fixtures, along public highways or streets for the  
2021 transmission or distribution of electric current, owned, operated,  
2022 managed or controlled by such company, in such format as the  
2023 authority shall prescribe. Such plan shall include a summary of  
2024 appropriate staffing levels necessary for the maintenance of said  
2025 fixtures and a program for the trimming of tree branches and limbs  
2026 located in close proximity to overhead electric wires where such  
2027 branches and limbs may cause damage to such electric wires. The  
2028 authority shall review each plan and may issue such orders as may be  
2029 necessary to ensure compliance with this section. The authority may  
2030 require each [electric or] electric distribution company to submit an  
2031 updated plan at such time and containing such information as the  
2032 authority may prescribe. The authority shall adopt regulations, in  
2033 accordance with the provisions of chapter 54, to carry out the  
2034 provisions of this section.

2035 Sec. 68. Subdivision (7) of subsection (d) of section 16-32h of the  
2036 general statutes is repealed and the following is substituted in lieu  
2037 thereof (*Effective from passage*):

2038 (7) Tree trimming, cutting and removal by each [electric company  
2039 and] electric distribution company to reduce service outages caused by  
2040 trees and limbs;

2041 Sec. 69. Section 16-47 of the general statutes is repealed and the  
2042 following is substituted in lieu thereof (*Effective from passage*):

2043 (a) As used in this section and section 16-47a, (1) "holding company"  
2044 means any corporation, association, partnership, trust or similar  
2045 organization, or person which, either alone or in conjunction and  
2046 pursuant to an arrangement or understanding with one or more other

2047 corporations, associations, partnerships, trusts or similar  
2048 organizations, or persons, directly or indirectly, controls a gas,  
2049 [electric,] electric distribution, water, telephone or community antenna  
2050 television company, and (2) "control" means the possession of the  
2051 power to direct or cause the direction of the management and policies  
2052 of a gas, [electric,] electric distribution, water, telephone or community  
2053 antenna television company or a holding company, whether through  
2054 the ownership of its voting securities, the ability to effect a change in  
2055 the composition of its board of directors or otherwise, provided,  
2056 control shall not be deemed to arise solely from a revocable proxy or  
2057 consent given to a person in response to a public proxy or consent  
2058 solicitation made pursuant to and in accordance with the applicable  
2059 rules and regulations of the Securities Exchange Act of 1934 unless a  
2060 participant in said solicitation has announced an intention to effect a  
2061 merger or consolidation with, reorganization, or other business  
2062 combination or extraordinary transaction involving the gas, [electric,]  
2063 electric distribution, water, telephone or community antenna television  
2064 company or the holding company. Control shall be presumed to exist  
2065 if a person directly or indirectly owns ten per cent or more of the  
2066 voting securities of a gas, [electric,] electric distribution, water,  
2067 telephone or community antenna television company or a holding  
2068 company, provided the authority may determine, after conducting a  
2069 hearing, that said presumption of control has been rebutted by a  
2070 showing that such ownership does not in fact confer control.

2071 (b) No gas, [electric,] electric distribution, water, telephone or  
2072 community antenna television company, or holding company, or any  
2073 official, board or commission purporting to act under any  
2074 governmental authority other than that of this state or of its divisions,  
2075 municipal corporations or courts, shall interfere or attempt to interfere  
2076 with or, directly or indirectly, exercise or attempt to exercise authority  
2077 or control over any gas, [electric,] electric distribution, water,  
2078 telephone or community antenna television company engaged in the  
2079 business of supplying service within this state, or with or over any  
2080 holding company doing the principal part of its business within this

2081 state, without first making written application to and obtaining the  
2082 approval of the Public Utilities Regulatory Authority, except as the  
2083 United States may properly regulate actual transactions in interstate  
2084 commerce.

2085 (c) No corporation, association, partnership, trust or similar  
2086 organization, or person shall take any action that causes it to become a  
2087 holding company with control over a gas, [electric,] electric  
2088 distribution, water, telephone or community antenna television  
2089 company engaged in the business of supplying service within this  
2090 state, or acquire, directly or indirectly, control over such a holding  
2091 company, or take any action that would if successful cause it to  
2092 become or to acquire control over such a holding company, without  
2093 first making written application to and obtaining the approval of the  
2094 authority. Any such corporation, association, partnership, trust or  
2095 similar organization, or person applying to the authority for such  
2096 approval shall pay the reasonable expenses incurred by the authority  
2097 in carrying out its duties under this subsection, and accordingly, shall  
2098 deposit with the authority a bond, executed by a surety company  
2099 authorized to do business in this state, in the amount of fifty thousand  
2100 dollars, conditioned to indemnify the authority for such expenses.

2101 (d) The Public Utilities Regulatory Authority shall investigate and  
2102 hold a public hearing on the question of granting its approval with  
2103 respect to any application made under subsection (b) or (c) of this  
2104 section and thereafter may approve or disapprove any such  
2105 application in whole or in part and upon such terms and conditions as  
2106 it deems necessary or appropriate. In connection with its investigation,  
2107 the authority may request the views of the gas, [electric,] electric  
2108 distribution, water, telephone or community antenna television  
2109 company or holding company which is the subject of the application  
2110 with respect to the proposed acquisition. After the filing of an  
2111 application satisfying the requirements of such regulations as the  
2112 authority may adopt in accordance with the provisions of chapter 54,  
2113 but not later than thirty business days after the filing of such  
2114 application, the authority shall give prompt notice of the public

2115 hearing to the person required to file the application and to the subject  
2116 company or holding company. Such hearing shall be commenced as  
2117 promptly as practicable after the filing of the application, but not later  
2118 than thirty business days after the filing, and the authority shall make  
2119 its determination as soon as practicable, but not later than one hundred  
2120 twenty days after the filing of the application unless the person  
2121 required to file the application agrees to an extension of time. The  
2122 authority may, in its discretion, grant the subject company or holding  
2123 company the opportunity to participate in the hearing by presenting  
2124 evidence and oral and written argument. If the authority fails to give  
2125 notice of its determination to hold a hearing, commence the hearing, or  
2126 render its determination after the hearing within the time limits  
2127 specified in this subdivision, the proposed acquisition shall be deemed  
2128 approved. In each proceeding on a written application submitted  
2129 under said subsection (b) or (c), the authority shall, in a manner which  
2130 treats all parties to the proceeding on an equal basis, take into  
2131 consideration (1) the financial, technological and managerial suitability  
2132 and responsibility of the applicant, (2) the ability of the gas, [electric,]  
2133 electric distribution, water, telephone or community antenna television  
2134 company or holding company which is the subject of the application to  
2135 provide safe, adequate and reliable service to the public through the  
2136 company's plant, equipment and manner of operation if the  
2137 application were to be approved, and (3) for an application concerning  
2138 a telephone company, the effect of approval on the location and  
2139 accessibility of management and operations and on the proportion and  
2140 number of state resident employees.

2141 (e) During any proceeding under subsection (b) or (c) of this section,  
2142 the authority may order any party to such proceeding and the officers,  
2143 directors, employees and agents of such party to refrain for a specific  
2144 time period from communicating, directly or indirectly, with the  
2145 record and beneficial owners of securities of the gas, [electric,] electric  
2146 distribution, water, telephone or community antenna television  
2147 company or holding company which is the subject of such  
2148 proceedings, in regard to the matters submitted to the authority for its

2149 approval under said subsection (b) or (c). If the authority issues such  
2150 an order, it shall also order all other parties to the proceeding and the  
2151 officers, directors, employees and agents of such parties to refrain for  
2152 the same time period from communicating, directly or indirectly, with  
2153 such record and beneficial owners of such securities, in regard to such  
2154 matters. No order issued pursuant to this subsection shall prohibit any  
2155 party from complying with disclosure and reporting obligations under  
2156 any other provision of the general statutes or under federal law.

2157 (f) Each holding company shall, not later than three months after the  
2158 close of its fiscal year, annually, file with the authority a copy of its  
2159 annual report to stockholders for such fiscal year. If the holding  
2160 company does not print such an annual report, it shall file instead, not  
2161 later than the same date, a comprehensive audit and report of its  
2162 accounts and operations prepared by an independent public  
2163 accounting firm approved by the authority. The provisions of this  
2164 subsection shall not apply to any holding company in the form of a  
2165 person.

2166 (g) Any action contrary to the provisions of subsections (b) or (c) of  
2167 this section shall be voidable on order of the authority.

2168 (h) Whenever any corporation, association, partnership, trust or  
2169 similar organization, or person takes or engages in any action which  
2170 may or would violate subsection (b) or (c) of this section or any order  
2171 adopted pursuant to said subsection (b) or (c), the Superior Court,  
2172 upon application of the authority or any holding company or gas,  
2173 [electric,] electric distribution, water, telephone or community antenna  
2174 television company affected by such action, may enjoin any such  
2175 corporation, association, partnership, trust or similar organization, or  
2176 person from continuing or doing any act in violation of said subsection  
2177 (b) or (c) or may otherwise enforce compliance with said subsection (b)  
2178 or (c), including but not limited to, the reinstatement of authority or  
2179 control over the holding company or gas, [electric,] electric  
2180 distribution, water, telephone or community antenna television  
2181 company or holding company to those persons who exercised

2182 authority or control over such company before such action.

2183 (i) The provisions of this section shall not be construed to require  
2184 any person to make written application to or obtain the approval of the  
2185 authority with respect to any telephone company or holding company  
2186 of a telephone company over which such person exercises authority or  
2187 control or operates as a holding company on June 30, 1987.

2188 Sec. 70. Subsection (f) of section 16-50i of the general statutes is  
2189 repealed and the following is substituted in lieu thereof (*Effective from*  
2190 *passage*):

2191 (f) "Emergency generating device" means an electric generating  
2192 device with a generating capacity of five megawatts or less, installed  
2193 primarily for the purpose of producing emergency backup electrical  
2194 power for not more than five hundred hours per year, and that (1)  
2195 does not have a substantial adverse environmental effect, as  
2196 determined by the council, or (2) is owned and operated by an entity  
2197 other than an [electric,] electric distribution or gas company, or (3) is  
2198 under construction or in operation prior to May 2, 1989; and

2199 Sec. 71. Subsection (b) of section 16-50l of the general statutes is  
2200 repealed and the following is substituted in lieu thereof (*Effective from*  
2201 *passage*):

2202 (b) Each application shall be accompanied by proof of service of a  
2203 copy of such application on: (1) Each municipality in which any  
2204 portion of such facility is to be located, both as primarily proposed and  
2205 in the alternative locations listed, and any adjoining municipality  
2206 having a boundary not more than two thousand five hundred feet  
2207 from such facility, which copy shall be served on the chief executive  
2208 officer of each such municipality and shall include notice of the date on  
2209 or about which the application is to be filed, and the zoning  
2210 commissions, planning commissions, planning and zoning  
2211 commissions, conservation commissions and inland wetlands agencies  
2212 of each such municipality, and the regional planning agencies which  
2213 encompass each such municipality; (2) the Attorney General; (3) each

2214 member of the legislature in whose assembly or senate district the  
2215 facility or any alternative location listed in the application is to be  
2216 located; (4) any agency, department or instrumentality of the federal  
2217 government that has jurisdiction, whether concurrent with the state or  
2218 otherwise, over any matter that would be affected by such facility; (5)  
2219 each state department, agency and commission named in subsection  
2220 (h) of section 16-50j, as amended by this act; and (6) such other state  
2221 and municipal bodies as the council may by regulation designate. A  
2222 notice of such application shall be given to the general public, in  
2223 municipalities entitled to receive notice under subdivision (1) of this  
2224 subsection, by the publication of a summary of such application and  
2225 the date on or about which it will be filed. Such notice shall be  
2226 published under the regulations to be promulgated by the council, in  
2227 such form and in such newspapers as will serve substantially to inform  
2228 the public of such application and to afford interested persons  
2229 sufficient time to prepare for and to be heard at the hearing prescribed  
2230 in section 16-50m. Such notice shall be published in not less than ten-  
2231 point type. A notice of such an application for a certificate for a facility  
2232 described in subdivision (3), (4), (5) or (6) of subsection (a) of section  
2233 16-50i shall also be sent, by certified or registered mail, to each person  
2234 appearing of record as an owner of property which abuts the proposed  
2235 primary or alternative sites on which the facility would be located.  
2236 Such notice shall be sent at the same time that notice of such  
2237 application is given to the general public. Notice of an application for a  
2238 certificate for a facility described in subdivision (1) of subsection (a) of  
2239 section 16-50i shall also be provided to each [electric company or]  
2240 electric distribution company customer in the municipality where the  
2241 facility is proposed to be placed. Such notice shall (A) be provided on a  
2242 separate enclosure with each customer's monthly bill for one or more  
2243 months, (B) be provided by the [electric company or] electric  
2244 distribution company not earlier than sixty days prior to filing the  
2245 application with the council, but not later than the date that the  
2246 application is filed with the council, and (C) include: A brief  
2247 description of the project, including its location relative to the affected  
2248 municipality and adjacent streets; a brief technical description of the

2249 project including its proposed length, voltage, and type and range of  
2250 heights of support structures or underground configuration; the reason  
2251 for the project; the address and a toll-free telephone number of the  
2252 applicant by which additional information about the project can be  
2253 obtained; and a statement in print no smaller than twenty-four-point  
2254 type size stating "NOTICE OF PROPOSED CONSTRUCTION OF A  
2255 HIGH VOLTAGE ELECTRIC TRANSMISSION LINE".

2256 Sec. 72. Section 16-232 of the general statutes is repealed and the  
2257 following is substituted in lieu thereof (*Effective from passage*):

2258 No electric [light or electric power] distribution company organized  
2259 under any former joint stock law of this state shall use or occupy any  
2260 highway or public grounds or be entitled to the powers or privileges  
2261 enumerated in this chapter, without special authority from the General  
2262 Assembly.

2263 Sec. 73. Subsection (a) of section 16-234 of the 2014 supplement to  
2264 the general statutes is repealed and the following is substituted in lieu  
2265 thereof (*Effective from passage*):

2266 (a) As used in this section:

2267 (1) "Utility" means a telephone, telecommunications [, electric] or  
2268 electric distribution company, each as defined in section 16-1, as  
2269 amended by this act;

2270 (2) "Utility protection zone" means any rectangular area extending  
2271 horizontally for a distance of eight feet from any outermost electrical  
2272 conductor or wire installed from pole to pole and vertically from the  
2273 ground to the sky;

2274 (3) "Hazardous tree" means any tree or part of a tree that is (A)  
2275 dead, (B) extensively decayed, or (C) structurally weak, which, if it  
2276 falls, would endanger utility infrastructure, facilities or equipment;

2277 (4) "Vegetation management" means pruning or removal of trees,  
2278 shrubs or other vegetation that pose a risk to the reliability of the

2279 utility infrastructure, and the retention of trees and shrubs that are  
2280 compatible with the utility infrastructure. Until such time as the  
2281 Department of Energy and Environmental Protection issues standards  
2282 for identifying such compatible trees and shrubs, the standards and  
2283 identification of such compatible trees and shrubs shall be as set forth  
2284 in the 2012 final report of the State Vegetation Management Task  
2285 Force; and

2286 (5) "Pruning" means the selective removal of plant parts to meet  
2287 specific goals and objectives, when performed according to current  
2288 professional tree care standards.

2289 Sec. 74. Subsection (f) of section 16-243a of the general statutes is  
2290 repealed and the following is substituted in lieu thereof (*Effective from*  
2291 *passage*):

2292 (f) If a private power producer believes that an electric distribution  
2293 company has violated any provision of this section it may submit a  
2294 written petition alleging such violation to the authority. Upon receipt  
2295 of the petition, the authority shall fix a time and place for a hearing  
2296 and mail notice of the hearing to the parties in interest at least one  
2297 week in advance. Upon the hearing, the authority may, if it finds the  
2298 company has violated any such provision, prescribe the manner in  
2299 which it shall comply.

2300 Sec. 75. Section 16-243c of the general statutes is repealed and the  
2301 following is substituted in lieu thereof (*Effective from passage*):

2302 The Public Utilities Regulatory Authority may issue orders  
2303 requiring electric distribution companies to provide, within their  
2304 service areas, electricity transmission and distribution services  
2305 between a generating facility operated by an electric cooperative under  
2306 subsection (b) of section 33-219 and those members of the cooperative  
2307 operating the facility to whom the cooperative is authorized to furnish  
2308 electricity under subsection (d) of section 33-221, as amended by this  
2309 act, and governing the rates for the service. The authority may not  
2310 issue any order under this subsection which would significantly

2311 impair the ability of an electric distribution company to perform its  
2312 responsibilities to the public or would otherwise be contrary to the  
2313 purposes of this title.

2314 Sec. 76. Section 16-243e of the 2014 supplement to the general  
2315 statutes is repealed and the following is substituted in lieu thereof  
2316 (*Effective from passage*):

2317 (a) Except as provided in subsection (b) of this section, any electric  
2318 distribution company, as defined in section 16-1, as amended by this  
2319 act, that, prior to July 6, 2007, purchased electricity generated by a  
2320 resources recovery facility, as defined in section 22a-260, owned by, or  
2321 operated by or for the benefit of, a municipality or municipalities,  
2322 pursuant to a contract with the owner of such facility requiring the  
2323 electric distribution company to purchase all of the electricity  
2324 generated at such facility from waste that originated in the franchise  
2325 area of the electric distribution company, for a period beginning on the  
2326 date that the facility began generating electricity and having a duration  
2327 of not less than twenty years, at the same rate that the electric  
2328 distribution company charges the municipality or municipalities for  
2329 electricity, shall pay the rate set forth in the contract or, for contracts  
2330 entered into and approved during calendar year 1999, the rate  
2331 established by the authority, for the remaining period of the contract.  
2332 No [electric company or] electric distribution company shall be  
2333 required to enter into such a contract on or after July 6, 2007.

2334 (b) Not later than October 1, 2000, and annually thereafter, the  
2335 authority shall calculate the difference between the amount paid by the  
2336 [successor] electric distribution company pursuant to each such  
2337 contract in effect during the preceding fiscal year for electricity  
2338 generated at the facility from waste that originated within such  
2339 franchise area and the amount that would have been paid had the  
2340 company been obligated to pay the rate in effect during calendar year  
2341 1999, as determined by the authority. The difference, if positive, shall  
2342 be recovered through the systems benefits charge established under  
2343 section 16-245l, as amended by this act, and remitted to the regional

2344 resource recovery authority acting on behalf of member municipalities.

2345 Sec. 77. Section 16-243g of the general statutes is repealed and the  
2346 following is substituted in lieu thereof (*Effective from passage*):

2347 Notwithstanding any provision of the general statutes or of any  
2348 special act to the contrary, no electric distribution company, as defined  
2349 in section 16-1, as amended by this act, municipal electric energy  
2350 cooperative established under chapter 101a or municipal electric utility  
2351 established under chapter 101 which has entered into a contract to  
2352 purchase electricity from a private power producer, as defined in  
2353 section 16-243b, shall refuse or neglect to execute an assignment of an  
2354 electricity purchase agreement or contract to a trustee as security for or  
2355 protection of bonds issued to refinance outstanding bonds originally  
2356 issued or reissued to finance the major portion of the costs of the  
2357 acquisition, construction and installation of a private power  
2358 production facility, as defined in section 16-243b.

2359 Sec. 78. Section 16-243z of the 2014 supplement to the general  
2360 statutes is repealed and the following is substituted in lieu thereof  
2361 (*Effective from passage*):

2362 (a) For purposes of this section, "regional planning agency" and  
2363 "regional council of elected officials" have the same meanings as  
2364 provided in section 4-124i, "regional council of governments" has the  
2365 same meaning as "council" in section 4-124i and ["electric company"  
2366 and] "electric distribution company" [have] has the same [meanings]  
2367 meaning as provided in section 16-1, as amended by this act.

2368 (b) Upon the request of the geographic information systems or  
2369 geospatial information systems analyst or coordinator, or any  
2370 equivalent official, of any municipality or of any regional planning  
2371 agency, regional council of elected officials or regional council of  
2372 governments, an [electric company or] electric distribution company  
2373 shall provide to such analyst, coordinator or official any geographic  
2374 information systems or geospatial information systems data for such  
2375 [electric or] electric distribution company's service area identifying

2376 utility pole data for poles owned or jointly owned by such company in  
2377 such municipality or the area served by such regional planning  
2378 agency, regional council of elected officials or regional council of  
2379 governments. Such data shall include pole ownership, identification  
2380 number, XY coordinate location, pole height, pole classification and  
2381 wattage size of street lights or post lights.

2382 (c) Upon the request of a municipality for public safety reasons  
2383 during an emergency, an [electric company or] electric distribution  
2384 company may provide to such municipality the location of electric  
2385 service accounts that are coded by such company as medical hardship  
2386 accounts within such municipality.

2387 (d) Prior to receipt of data from an [electric company or] electric  
2388 distribution company under this section, a municipality, regional  
2389 planning agency, regional council of elected officials or regional  
2390 council of governments shall demonstrate to such company that it has  
2391 implemented appropriate procedures to protect the confidentiality of  
2392 the information. Any data provided by such company to a  
2393 municipality, regional planning agency, regional council of elected  
2394 officials or regional council of governments pursuant to this section  
2395 shall be used by such entity for internal use only, and shall not be  
2396 publicly disclosed by the municipality, regional planning agency,  
2397 regional council of elected officials or regional council of governments  
2398 or be subject to any public disclosure requirement without the prior  
2399 consent of the [electric company or] electric distribution company, as  
2400 applicable, and shall be exempt from disclosure under the Freedom of  
2401 Information Act, as defined in section 1-200.

2402 Sec. 79. Section 16-243z of the 2014 supplement to the general  
2403 statutes, as amended by section 292 of public act 13-247, is repealed  
2404 and the following is substituted in lieu thereof (*Effective January 1,*  
2405 *2015*):

2406 (a) For purposes of this section, "regional council of governments"  
2407 has the same meaning as "council" in section 4-124i, and ["electric

2408 company" and] "electric distribution company" [have] has the same  
2409 [meanings] meaning as provided in section 16-1, as amended by this  
2410 act.

2411 (b) Upon the request of the geographic information systems or  
2412 geospatial information systems analyst or coordinator, or any  
2413 equivalent official, of any municipality or regional council of  
2414 governments, an [electric company or] electric distribution company  
2415 shall provide to such analyst, coordinator or official any geographic  
2416 information systems or geospatial information systems data for such  
2417 electric or electric distribution company's service area identifying  
2418 utility pole data for poles owned or jointly owned by such company in  
2419 such municipality or the area served by such regional council of  
2420 governments. Such data shall include pole ownership, identification  
2421 number, XY coordinate location, pole height, pole classification and  
2422 wattage size of street lights or post lights.

2423 (c) Upon the request of a municipality for public safety reasons  
2424 during an emergency, an [electric company or] electric distribution  
2425 company may provide to such municipality the location of electric  
2426 service accounts that are coded by such company as medical hardship  
2427 accounts within such municipality.

2428 (d) Prior to receipt of data from an [electric company or] electric  
2429 distribution company under this section, a municipality or regional  
2430 council of governments shall demonstrate to such company that it has  
2431 implemented appropriate procedures to protect the confidentiality of  
2432 the information. Any data provided by such company to a  
2433 municipality or regional council of governments pursuant to this  
2434 section shall be used by such entity for internal use only, and shall not  
2435 be publicly disclosed by the municipality or regional council of  
2436 governments or be subject to any public disclosure requirement  
2437 without the prior consent of the [electric company or] electric  
2438 distribution company [, as applicable,] and shall be exempt from  
2439 disclosure under the Freedom of Information Act, as defined in section  
2440 1-200.

2441 Sec. 80. Section 16-243aa of the 2014 supplement to the general  
2442 statutes is repealed and the following is substituted in lieu thereof  
2443 (*Effective from passage*):

2444 The Public Utilities Regulatory Authority shall authorize any  
2445 municipality or state or federal governmental entity that owns,  
2446 operates or leases any Class I renewable energy source, as defined in  
2447 section 16-1, as amended by this act, Class III source, as defined in  
2448 section 16-1, as amended by this act, or generation source under five  
2449 megawatts, to independently distribute electricity generated from any  
2450 such source across a public highway or street, provided (1) any such  
2451 source is connected to a municipal microgrid, as defined in subdivision  
2452 (5) of subsection (a) of section 16-243y, and (2) to ensure the reliability  
2453 and availability of the microgrid delivery system and the safety of the  
2454 public, such municipality or state or federal governmental entity shall  
2455 engage the applicable electric distribution company, as defined in  
2456 section 16-1, as amended by this act, to complete the interconnection of  
2457 such microgrid to the electric grid in accordance with the authority's  
2458 interconnection standards. For purposes of this section, any such  
2459 municipality or governmental entity shall not be considered an electric  
2460 distribution company, as defined in section 16-1, as amended by this  
2461 act.

2462 Sec. 81. Section 16-244e of the 2014 supplement to the general  
2463 statutes is repealed and the following is substituted in lieu thereof  
2464 (*Effective from passage*):

2465 [(a) (1) Not later than October 1, 1998, each electric company shall  
2466 submit an unbundling plan to the authority to unbundle and separate,  
2467 by October 1, 1999, all the company's generation assets that (A) prior to  
2468 the date when the authority approves a divestiture plan pursuant to  
2469 section 16-244f or 16-244g, are not sold in accordance with section 16-  
2470 43, and (B) on and after the date when the authority approves such  
2471 plan, will not be divested as of January 1, 2000, in accordance with  
2472 sections 16-244f and 16-244g.

2473       (2) For any nonnuclear generation asset that will not be divested by  
2474 January 1, 2000, unbundling and separation shall occur by transfer on  
2475 a functional basis to one or more corporate affiliates that are legally  
2476 separate from the company's transmission and distribution assets and  
2477 all related operations and functions, in which case, no stranded costs  
2478 shall be recovered.

2479       (3) For any nuclear generation asset that will not be sold by January  
2480 1, 2000, unbundling and separation shall occur by (A) divestiture  
2481 pursuant to section 16-244g, (B) transfer on a functional basis to one or  
2482 more corporate affiliates that are legally separate from the company's  
2483 transmission and distribution assets and all related operations and  
2484 functions, or (C) if required to comply with rules, regulations or  
2485 licensing requirements of the United States Nuclear Regulatory  
2486 Commission, transfer on a functional basis to one or more divisions  
2487 that are structurally separate from the electric distribution company.

2488       (4) The unbundling plan and order shall provide for the allocation  
2489 of the rights and responsibilities pursuant to sections 16-245e to 16-  
2490 245k, inclusive, between the electric distribution company and any  
2491 generation entities or affiliates and shall provide for the allocation of  
2492 revenue under a special contract among those components of a  
2493 customer's bill specified in subdivision (1) of subsection (a) of section  
2494 16-245d. Such plan shall include a proposed modification or  
2495 elimination to the adjustment pursuant to section 16-19b. Such plan  
2496 shall not allow the transfer of assets or liabilities allocable or belonging  
2497 to transmission or distribution functions or facilities to the generation  
2498 entity or affiliate of an electric company, nor allow the transfer of  
2499 assets or liabilities, other than financial assets or liabilities to be funded  
2500 by the competitive transition assessment pursuant to section 16-245g  
2501 or the systems benefits charge pursuant to section 16-245l, allocable or  
2502 belonging to generation functions or facilities to the electric  
2503 distribution company, as defined in section 16-1, unless federal law or  
2504 regulation requires such a transfer with regard to nuclear generation  
2505 assets. All entitlements and obligations from any purchased power  
2506 contract or independent power producer contract entered into before

2507 July 1, 1998, by the predecessor electric company which are not bought  
2508 out shall succeed to the electric distribution company. Such plan shall  
2509 include a discussion of the impacts of the proposed plan on the  
2510 company's employees and plans for mitigating such impact.

2511 (5) The authority shall hold a hearing and issue a final order  
2512 approving or modifying the plan in a time frame that will allow  
2513 unbundling to be accomplished by October 1, 1999. Any hearing shall  
2514 be conducted as a contested case in accordance with chapter 54. Such  
2515 plan shall be submitted and such order issued consistent with the  
2516 determination and implementation of the competitive transition  
2517 assessment, as provided in section 16-245g.

2518 (6) Once unbundling is completed to the satisfaction of the authority  
2519 and consistent with the provisions of section 16-244, (A) any corporate  
2520 affiliate or separate division that provides electric generation services  
2521 as a result of unbundling pursuant to this subsection shall be  
2522 considered a generation entity or affiliate of the electric company, and  
2523 the division or corporate affiliate of the electric company that provides  
2524 transmission and distribution services shall be considered an electric  
2525 distribution company, and (B) an]

2526 (a) An electric distribution company shall not own or operate  
2527 generation assets, except as provided in this section and sections 16-  
2528 43d, as amended by this act, 16-243m, as amended by this act, 16-243u,  
2529 16a-3b and 16a-3c.

2530 (b) [Not later than August 1, 1998, the Public Utilities Regulatory  
2531 Authority shall hold a hearing and issue a final order that unbundles  
2532 prices or rates for electric generation services for each electric company  
2533 from all other charges. Any hearing shall be conducted as a contested  
2534 case in accordance with chapter 54. On and after July 1, 1999, each  
2535 electric company or] Each electric distribution company [, as the case  
2536 may be,] shall provide all customers with a bill that separates the  
2537 electric generation services component of those charges.

2538 Sec. 82. Subsection (a) of section 16-244g of the general statutes is

2539 repealed and the following is substituted in lieu thereof (*Effective from*  
2540 *passage*):

2541 (a) As used in this section, "generation assets" means ["generation  
2542 assets", as defined in section 16-244f] electric generation facilities and  
2543 generation-related operations and functions owned by an electric  
2544 distribution company and includes associated contractual obligations  
2545 for energy or capacity from such generation assets, and "net proceeds"  
2546 means ["net proceeds", as defined in section 16-244f] the book income  
2547 from the sale or divestiture of assets, consisting of sales price less  
2548 reasonable expenses of sale, related income and other taxes.

2549 Sec. 83. Subsection (b) of section 16-244h of the general statutes is  
2550 repealed and the following is substituted in lieu thereof (*Effective from*  
2551 *passage*):

2552 (b) The code of conduct shall include: (1) Measures to ensure  
2553 information, revenues, expenses, costs, assets, liabilities or other  
2554 resources derived from or associated with providing electric  
2555 transmission or distribution services by an electric distribution  
2556 company are not used to subsidize any generation entity or affiliate; (2)  
2557 safeguards to assure fair dealing between electric distribution  
2558 companies and all other electric suppliers, as defined in section 16-1, as  
2559 amended by this act, including any generation entities or affiliates of  
2560 the electric distribution company; (3) procedures for ensuring electric  
2561 suppliers nondiscriminatory access to the transmission and  
2562 distribution facilities of the electric distribution company; and (4)  
2563 measures to ensure that an electric distribution company provides  
2564 transmission and distribution service, applies tariffs to generation  
2565 entities or affiliates and to unaffiliated electric suppliers in a  
2566 nondiscriminatory manner and enforces such tariff provisions. The  
2567 code of conduct shall, at a minimum, (A) prohibit any employee of a  
2568 generation entity or affiliate from conducting distribution system  
2569 operations or having access to system control centers or similar  
2570 facilities used by distribution operations in any way that differs from  
2571 the access available to employees of unaffiliated electric suppliers, (B)

2572 prohibit an employee of a generation entity or affiliate from having  
2573 preferential access to any information concerning the electric  
2574 distribution company's customers or distribution system that is not  
2575 available on an equivalent basis to unaffiliated electric suppliers, (C)  
2576 prohibit an employee of an electric distribution company from  
2577 disclosing to an employee of a generation entity or affiliate information  
2578 concerning its customers, the distribution system or other market  
2579 information through nonpublic communications that is not available  
2580 on an equivalent basis to all unaffiliated electric suppliers, (D) require  
2581 employees of electric distribution companies to apply all tariff  
2582 provisions relating to the sale or purchase of any retail access  
2583 distribution service in a fair, impartial and nondiscriminatory manner,  
2584 and (E) prohibit joint marketing activities between an electric  
2585 distribution company and its generation entity or affiliate. The code of  
2586 conduct shall not prohibit communications necessary for standard  
2587 offer service pursuant to section 16-244c, as amended by this act, or  
2588 when necessary to restore service or to prevent or respond to  
2589 emergency conditions. Each electric distribution company shall  
2590 annually submit to the authority such information as the authority  
2591 may require in order to evaluate the actual effectiveness of the code of  
2592 conduct in fulfilling the purposes of this section. The authority shall  
2593 consult with the independent system operator on a regular basis  
2594 regarding issues raised under this section. The authority may, upon its  
2595 own motion or upon receipt of a complaint from any person alleging a  
2596 violation of the code of conduct, investigate an electric distribution  
2597 company's compliance with the code of conduct, and any such  
2598 investigation shall be considered a contested case as defined in section  
2599 4-166. The authority may enter into appropriate orders to enforce the  
2600 code, including cease and desist orders, and it may levy civil penalties  
2601 against these entities subject to the code after notice and hearing  
2602 pursuant to section 16-41. Any person aggrieved by a violation of the  
2603 code of conduct shall also have a private right of action for damages  
2604 against the electric distribution company or generation entity or  
2605 affiliate, as the case may be.

2606 Sec. 84. Section 16-245e of the 2014 supplement to the general  
2607 statutes is repealed and the following is substituted in lieu thereof  
2608 (*Effective from passage*):

2609 (a) As used in this section, sections 16-245f to 16-245k, inclusive, as  
2610 amended by this act, and section 16-245m, as amended by this act:

2611 (1) "Rate reduction bonds" means bonds, notes, certificates of  
2612 participation or beneficial interest, or other evidences of indebtedness  
2613 or ownership, issued pursuant to an executed indenture or other  
2614 agreement of a financing entity, in accordance with this section and  
2615 sections 16-245f to 16-245k, inclusive, as amended by this act, the  
2616 proceeds of which are used, directly or indirectly, to provide, recover,  
2617 finance, or refinance stranded costs or economic recovery transfer, or  
2618 to sustain funding of conservation and load management and  
2619 renewable energy investment programs by substituting for  
2620 disbursements to the General Fund from the Energy Conservation and  
2621 Load Management Fund established by section 16-245m and from the  
2622 Clean Energy Fund established by section 16-245n, and which, directly  
2623 or indirectly, are secured by, evidence ownership interests in, or are  
2624 payable from, transition property;

2625 (2) "Competitive transition assessment" means those [non-  
2626 bypassable] nonbypassable rates and other charges, that are  
2627 authorized by the authority (A) in a financing order in respect to the  
2628 economic recovery transfer, or in a financing order, to sustain funding  
2629 of conservation and load management and renewable energy  
2630 investment programs by substituting disbursements to the General  
2631 Fund from proceeds of rate reduction bonds for such disbursements  
2632 from the Energy Conservation and Load Management Fund  
2633 established by section 16-245m and from the Clean Energy Fund  
2634 established by section 16-245n, or to recover those stranded costs that  
2635 are eligible to be funded with the proceeds of rate reduction bonds  
2636 pursuant to section 16-245f, as amended by this act, and the costs of  
2637 providing, recovering, financing, or refinancing the economic recovery  
2638 transfer or such substitution of disbursements to the General Fund or

2639 such stranded costs through a plan approved by the authority in the  
2640 financing order, including the costs of issuing, servicing, and retiring  
2641 rate reduction bonds, (B) to recover those stranded costs determined  
2642 under this section but not eligible to be funded with the proceeds of  
2643 rate reduction bonds pursuant to section 16-245f, as amended by this  
2644 act, or (C) to recover costs determined under subdivision (1) of  
2645 subsection (e) of section 16-244g. If requested by the [electric company  
2646 or] electric distribution company, the authority shall include in the  
2647 competitive transition assessment [non-bypassable] nonbypassable  
2648 rates and other charges to recover federal and state taxes whose  
2649 recovery period is modified by the transactions contemplated in this  
2650 section and sections 16-245f to 16-245k, inclusive, as amended by this  
2651 act;

2652 (3) "Customer" means any individual, business, firm, corporation,  
2653 association, tax-exempt organization, joint stock association, trust,  
2654 partnership, limited liability company, the United States or its  
2655 agencies, this state, any political subdivision thereof or state agency  
2656 that purchases electric generation or distribution services as a retail  
2657 end user in the state from any electric supplier [, electric company] or  
2658 electric distribution company;

2659 (4) "Finance authority" means the state, acting through the office of  
2660 the State Treasurer;

2661 (5) "Net proceeds" means ["net proceeds" as defined in section 16-  
2662 244f] the book income from the sale or divestiture of assets, consisting  
2663 of sales price less reasonable expenses of sale, related income and  
2664 other;

2665 (6) "Stranded costs" means that portion of generation assets,  
2666 generation-related regulatory assets or long-term contract costs  
2667 determined by the authority in accordance with the provisions of  
2668 subsections (e), (f), (g) and (h) of this section;

2669 (7) "Generation assets" means the total construction and other  
2670 capital asset costs of generation facilities approved for inclusion in

2671 rates before July 1, 1997, but does not include any costs relating to the  
2672 decommissioning of any such facility or any costs which the authority  
2673 found during a proceeding initiated before July 1, 1998, were incurred  
2674 because of imprudent management;

2675 (8) "Generation-related regulatory assets" means generation-related  
2676 costs authorized or mandated before July 1, 1998, by the Public  
2677 Utilities Regulatory Authority, approved for inclusion in the rates, and  
2678 include, but are not limited to, costs incurred for deferred taxes,  
2679 conservation programs, environmental protection programs, public  
2680 policy costs and research and development costs, net of any applicable  
2681 credits payable to customers, but does not include any costs which the  
2682 authority found during a proceeding initiated before July 1, 1998, were  
2683 incurred because of imprudent management;

2684 (9) "Long-term contract costs" mean the above-market portion of the  
2685 costs of contractual obligations approved for inclusion in the rates that  
2686 were entered into before January 1, 2000, arising from independent  
2687 power producer contracts required by law or purchased power  
2688 contracts approved by the Federal Energy Regulatory Commission;

2689 [(10) "Authority" means the Public Utilities Regulatory Authority;]

2690 [(11)] (10) "Financing entity" means the finance authority or any  
2691 special purpose trust or other entity that is authorized by the finance  
2692 authority to issue rate reduction bonds or acquire transition property  
2693 pursuant to such terms and conditions as the finance authority may  
2694 specify, or both;

2695 [(12)] (11) "Financing order" means an order of the authority  
2696 adopted in accordance with this section and sections 16-245f to 16-  
2697 245k, inclusive, as amended by this act;

2698 [(13)] (12) "Transition property" means the property right created  
2699 pursuant to this section and sections 16-245f to 16-245k, inclusive, as  
2700 amended by this act, in respect to the economic recovery transfer or in  
2701 respect of disbursements to the General Fund to sustain funding of

2702 conservation and load management and renewable energy investment  
2703 programs or those stranded costs that are eligible to be funded with  
2704 the proceeds of rate reduction bonds pursuant to section 16-245f, as  
2705 amended by this act, including, without limitation, the right, title, and  
2706 interest of an [electric company or] electric distribution company or its  
2707 transferee or the financing entity (A) in and to the rates and charges  
2708 established pursuant to a financing order, as adjusted from time to  
2709 time in accordance with subdivision (2) of subsection (b) of section 16-  
2710 245i, as amended by this act, and the financing order, (B) to be paid the  
2711 amount that is determined in a financing order to be the amount that  
2712 the [electric company or] electric distribution company or its transferee  
2713 or the financing entity is lawfully entitled to receive pursuant to the  
2714 provisions of this section and sections 16-245f to 16-245k, inclusive, as  
2715 amended by this act, and the proceeds thereof, and in and to all  
2716 revenues, collections, claims, payments, money, or proceeds of or  
2717 arising from the rates and charges or constituting the competitive  
2718 transition assessment that is the subject of a financing order including  
2719 those non-bypassable rates and other charges referred to in  
2720 subdivision (2) of this subsection, and (C) in and to all rights to obtain  
2721 adjustments to the rates and charges pursuant to the terms of  
2722 subdivision (2) of subsection (b) of section 16-245i, as amended by this  
2723 act, and the financing order. "Transition property" shall constitute a  
2724 current property right notwithstanding the fact that the value of the  
2725 property right will depend on consumers using electricity or, in those  
2726 instances where consumers are customers of a particular [electric  
2727 company or] electric distribution company, the [electric company or]  
2728 electric distribution company performing certain services;

2729 [(14)] (13) "State rate reduction bonds" means the rate reduction  
2730 bonds issued on June 23, 2004, by the state to sustain funding of  
2731 conservation and load management and renewable energy investment  
2732 programs by substituting for disbursements to the General Fund from  
2733 the Energy Conservation and Load Management Fund, established by  
2734 section 16-245m, and from the Clean Energy Fund, established by  
2735 section 16-245n. The state rate reduction bonds for the purposes of

2736 section 4-30a shall be deemed to be outstanding indebtedness of the  
2737 state;

2738 [(15)] (14) "Operating expenses" means, with respect to state rate  
2739 reduction bonds or economic recovery revenue bonds, (A) all  
2740 expenses, costs and liabilities of the state or the trustee incurred in  
2741 connection with the administration or payment of the state rate  
2742 reduction bonds or economic recovery revenue bonds, or in discharge  
2743 of its obligations and duties under the state rate reduction bonds or  
2744 economic recovery revenue bonds, or bond documents, expenses and  
2745 other costs and expenses arising in connection with the state rate  
2746 reduction bonds or economic recovery revenue bonds, or pursuant to  
2747 the financing order providing for the issuance of such bonds including  
2748 any arbitrage rebate and penalties payable under the code in  
2749 connection with such bonds, and (B) all fees and expenses payable or  
2750 disburseable to the servicers or others under the bond documents;

2751 [(16)] (15) "Bond documents" means, with respect to state rate  
2752 reduction bonds or economic recovery revenue bonds, the following  
2753 documents: The servicing agreements, the tax compliance agreement  
2754 and certificate, and the continuing disclosure agreement and indenture  
2755 entered into in connection with the state rate reduction bonds or the  
2756 economic recovery revenue bonds;

2757 [(17)] (16) "Indenture" means the indenture executed in connection  
2758 with the state rate reduction bonds or the economic recovery revenue  
2759 bonds, or, with respect to state rate reduction bonds, the RRB  
2760 Indenture, dated as of June 23, 2004, by and between the state and the  
2761 trustee, as amended from time to time;

2762 [(18)] (17) "Trustee" means, with respect to state rate reduction  
2763 bonds, the trustee appointed under the indenture;

2764 [(19)] (18) "Economic recovery transfer" means the disbursement to  
2765 the General Fund of nine hundred fifty-six million dollars from  
2766 proceeds of the issuance of the economic recovery revenue bonds; and

2767        [(20)] (19) "Economic recovery revenue bonds" means rate reduction  
2768 bonds issued to fund the economic recovery transfer, the costs of  
2769 issuance, credit enhancements, operating expenses and such other  
2770 costs as the finance authority deems necessary or advisable, and which  
2771 shall be payable from competitive transition assessment charges that  
2772 replace the competitive transition assessment charges funding  
2773 stranded costs.

2774        (b) The authority shall, in accordance with the provisions of this  
2775 section, identify and calculate, upon application by an electric  
2776 distribution company, those stranded costs that may be collected  
2777 through the competitive transition assessment which shall be  
2778 calculated and collected in accordance with the provisions of section  
2779 16-245g, as amended by this act. No electric distribution company shall  
2780 be eligible to claim stranded costs unless a public auction has been  
2781 held to divest itself of all nonnuclear generation assets [in accordance  
2782 with subsection (b) of section 16-244f] or the electric distribution  
2783 company has sold its nonnuclear generation assets in accordance with  
2784 section 16-43.

2785        (c) (1) Notwithstanding subdivision (1) of subsection (e) of section  
2786 16-244g, any electric distribution company seeking to claim stranded  
2787 costs shall, in accordance with this subsection, mitigate such costs to  
2788 the fullest extent possible. Prior to the approval by the authority of any  
2789 stranded costs, the electric distribution company shall show to the  
2790 satisfaction of the authority that the electric distribution company has  
2791 taken all reasonable steps to mitigate to the maximum extent possible  
2792 the total amount of stranded costs that it seeks to claim and to  
2793 minimize the cost to be recovered from customers. Mitigation shall  
2794 include: (A) Except to the extent provided in collective bargaining  
2795 agreements or agreements to purchase generation assets entered into  
2796 prior to July 1, 1998, the obtaining of written commitments from  
2797 purchasers of generation facilities divested pursuant to [sections 16-  
2798 244f and] section 16-244g, as amended by this act, that the purchasers  
2799 will offer employment to persons who were employed in  
2800 nonmanagerial positions by a divested generation facility at any time

2801 during the three-month period prior to the divestiture, at levels of  
2802 wages and overall compensation not lower than the employees' lowest  
2803 level during the six-month period prior to the date the contract to  
2804 divest the asset was entered into; (B) good faith efforts to negotiate the  
2805 buyout, buydown or renegotiation of independent power producer  
2806 contracts and purchased power contracts approved by the Federal  
2807 Energy Regulatory Commission, provided the fixed present value of  
2808 any contract to which a political subdivision of the state is a party shall  
2809 be calculated using the political subdivision's tax-exempt borrowing  
2810 rate as the discount rate; and (C) the reasonable costs of the consultants  
2811 appointed to conduct the auctions of generation assets pursuant to  
2812 [sections 16-244f and] section 16-244g, as amended by this act.  
2813 Mitigation may include, but is not limited to, reallocation of  
2814 depreciation reserves to existing generation assets to the extent  
2815 consistent with generally accepted accounting principles; reduction of  
2816 book assets by application of net proceeds of any sale of existing assets;  
2817 maximization of market revenues from existing generation assets;  
2818 efforts to maximize current and future operating efficiency, including  
2819 appropriate and timely maintenance, trouble shooting, aggressive  
2820 identification and correction of potential problem areas; voluntary  
2821 write-offs of above-market generation assets; the decision to retire  
2822 uneconomical generation assets and efforts to divest generating sites at  
2823 market prices reflective of best use of sites. Mitigation shall not include  
2824 any expenditures to restart a nuclear generation asset that was not  
2825 operating for reasons other than scheduled maintenance or refueling at  
2826 the time such expenditure was made. Any mitigation efforts and  
2827 associated costs shall be subject to approval by the authority.

2828 (2) The authority shall allow the cost of such mitigation efforts to be  
2829 included in the calculation of stranded costs to the extent that such  
2830 mitigation costs are reasonable relative to the amount of the reduction  
2831 in stranded costs resulting from the mitigation.

2832 (d) An electric distribution company shall submit to the authority an  
2833 application for recovery of that portion of generation-related  
2834 regulatory assets, long-term contract costs, generation assets and

2835 mitigation costs which are determined by the authority in accordance  
2836 with subsections (c), (e), (f) and (g) of this section and subdivision (1)  
2837 of subsection (e) of section 16-244g. The application shall include a  
2838 description of mitigation efforts and a request for recovery through the  
2839 competitive transition assessment and may include a request for a  
2840 financing order. The authority shall hold a hearing for each electric  
2841 distribution company and issue a finding of the calculation of stranded  
2842 costs in a time frame that allows for collection of the competitive  
2843 transition assessment to begin on January 1, 2000. Any hearing shall be  
2844 conducted as a contested case in accordance with chapter 54.

2845 (e) The authority shall calculate the stranded costs for generation-  
2846 related regulatory assets to be their book value as of January 1, 2000. In  
2847 calculating the value of generation-related regulatory assets that are  
2848 being provided in a lump sum as the result of a funding with the  
2849 proceeds of rate reduction bonds, the authority shall adjust the value  
2850 of each such asset to reflect the time value of such lump sum, if any.

2851 (f) (1) The authority shall calculate the stranded costs for long-term  
2852 contract costs that have been reduced to a fixed present value through  
2853 the buyout, buydown, or renegotiation of independent power  
2854 producer contracts and purchased power contracts approved by the  
2855 Federal Energy Regulatory Commission as such present value. In  
2856 making such calculation, the authority shall net purchased power  
2857 contracts approved by the Federal Energy Regulatory Commission  
2858 that are below market value against any such contracts that are above-  
2859 market value.

2860 (2) The authority shall calculate the stranded costs for any portion of  
2861 a long-term contract cost that has not been reduced to a fixed present  
2862 value by comparing the contract price to the market price at least  
2863 annually. In making such calculation, the authority shall net purchased  
2864 power contracts approved by the Federal Energy Regulatory  
2865 Commission that are below market value against any such contracts  
2866 that are above-market value. The costs described in this subdivision  
2867 shall be included in the competitive transition assessment pursuant to

2868 section 16-245g, as amended by this act, but shall not be included in  
2869 any funding with the proceeds of rate reduction bonds.

2870 (g) The authority shall calculate the stranded cost for each  
2871 generation asset [described in subdivision (7) of subsection (b) of  
2872 section 16-244f] to be the difference between its book value and the  
2873 market value of a prudently and efficiently managed nonnuclear  
2874 generating facility of comparable size, age and technical characteristics  
2875 in a competitive market. In determining the market value of any such  
2876 asset, the authority may consider (A) the dollars per kilowatt received  
2877 from the sale of similar generation facilities, if any, (B) income  
2878 capitalization based on the operating history and capacity of the  
2879 facility, the market rates for power, and any existing long-term  
2880 contracts for the sale of power or capacity, (C) independent market  
2881 appraisals, or (D) other relevant factors. The authority shall calculate  
2882 the stranded costs for generation assets [described in subdivision (7) of  
2883 subsection (b) of section 16-244f] at least every three years. The costs  
2884 described in this subsection shall be included in the competitive  
2885 transition assessment pursuant to section 16-245g, as amended by this  
2886 act, but shall not be included in any funding with the proceeds of rate  
2887 reduction bonds.

2888 (h) (1) On or before January 1, 2004, an electric distribution  
2889 company may submit to the authority an application for recovery of  
2890 that portion of nuclear generation assets which is determined by the  
2891 authority in accordance with this subsection, which application shall  
2892 include a request for recovery through the competitive transition  
2893 assessment. The authority shall hold a hearing for each electric  
2894 distribution company and issue a finding of the calculation of such  
2895 nuclear generation assets in accordance with the provisions of this  
2896 subsection. Any hearing shall be conducted as a contested case  
2897 proceeding in accordance with chapter 54. The costs described in this  
2898 subsection shall be included in the competitive transition assessment  
2899 pursuant to section 16-245g, as amended by this act, but shall not be  
2900 included in any funding with proceeds of rate reduction bonds.

2901       (2) The authority shall calculate the stranded costs for each nuclear  
2902 generation asset that was divested at a price less than book value as  
2903 described in subdivision (5) of subsection (c) of section 16-244g as the  
2904 difference between the book value of this asset and the final bid price  
2905 of the asset. The authority's calculation of stranded costs pursuant to  
2906 this subdivision shall be final and shall not be subject to further  
2907 adjustment by the authority.

2908       (3) The authority shall calculate the stranded costs for each  
2909 nondivested nuclear generation asset described in subdivision (1) of  
2910 subsection (d) of section 16-244g to be the difference between its book  
2911 value and the market value of a prudently and efficiently managed  
2912 nuclear generating facility of comparable size, age and technical  
2913 characteristics in a competitive market. In determining the market  
2914 value of any such asset, the authority may consider (A) the dollars per  
2915 kilowatt received from the sale of similar generation facilities, if any,  
2916 (B) income capitalization based on the operating history and capacity  
2917 of the facility, the market rates for power, and any existing long-term  
2918 contracts for the sale of power or capacity, (C) the provision for  
2919 decommissioning and related costs to be paid from the systems  
2920 benefits charge provided in section 16-245l, as amended by this act, (D)  
2921 independent market appraisals, or (E) other relevant factors. At least  
2922 every four years after the date when the authority issues an initial  
2923 finding of the calculation of the stranded costs for such nondivested  
2924 nuclear generation assets as provided in this subdivision until the  
2925 earlier of (i) the expiration of the collection of the competitive  
2926 transition assessment, or (ii) the date when such an asset is divested,  
2927 the authority shall hold a hearing and issue a finding to adjust the  
2928 stranded cost calculation of each such asset and to adjust the  
2929 competitive transition assessment accordingly to true up the stranded  
2930 cost recovery for the difference between the market value projected in  
2931 such initial finding and the actual market value of a prudently and  
2932 efficiently managed nuclear generating facility of comparable size, age  
2933 and technical characteristics during the time period between the initial  
2934 finding and the adjustment date, provided the second and subsequent

2935 adjustments shall reflect the difference during the time period since the  
2936 most recent true-up. The authority shall calculate the value of each  
2937 such asset in accordance with the methodology provided in this  
2938 subdivision. Any hearing shall be conducted as a contested case in  
2939 accordance with chapter 54.

2940 (4) After the authority has calculated the total value of stranded  
2941 costs for all nuclear generation assets, the authority shall (A) reduce  
2942 such amount by the net proceeds that are above book value realized by  
2943 an electric distribution company from the sale of nonnuclear  
2944 generation assets, [pursuant to subdivision (6) of subsection (b) of  
2945 section 16-244f,] (B) reduce such valuation to reflect the total net  
2946 proceeds that are above book value realized by an electric distribution  
2947 company from the sale of any nuclear generation assets pursuant to  
2948 subsection (c) of section 16-244g, and (C) reduce such amount by the  
2949 net proceeds that are above book value received by an electric  
2950 distribution company for the sale or lease of any real property after  
2951 July 1, 1998.

2952 (i) If any net proceeds described in subdivision (4) of subsection (h)  
2953 of this section remain after the reduction in the calculation of nuclear  
2954 generation assets pursuant to said subdivision (4) or are realized after  
2955 said reduction is calculated, the additional amount of such net  
2956 proceeds shall be netted against long-term contract costs described in  
2957 subdivision (2) of subsection (f) of this section, and the competitive  
2958 transition assessment shall be adjusted accordingly.

2959 (j) [(1)] No electric distribution company shall be eligible to claim  
2960 any stranded costs for a nuclear generation asset or for any generation-  
2961 related regulatory asset related to such generation asset, if the  
2962 generation asset is not operating as a result of an order issued by the  
2963 United States Nuclear Regulatory Commission that applies specifically  
2964 to such asset. Any such asset that is not eligible to be claimed as a  
2965 stranded cost shall be eligible after it is permitted to and has resumed  
2966 operation and is selling power.

2967 [(2) Any asset with a Nuclear Regulatory Commission capacity  
2968 rating of 641 megawatts that does not resume operation after such  
2969 order is no longer in effect shall not be eligible to be claimed as a  
2970 stranded cost. An electric company or electric distribution company  
2971 may apply to the authority for retirement of such unit for economic  
2972 reasons pursuant to section 16-19. The authority shall include any  
2973 recovery ordered in such proceeding in the competitive transition  
2974 assessment but shall not include any costs relating to the  
2975 decommissioning of any such facility or any costs which the authority  
2976 found during a proceeding initiated before July 1, 1998, were incurred  
2977 because of imprudent management. Notwithstanding the provisions of  
2978 this subdivision, nothing herein shall modify or supersede any statute  
2979 or regulation in effect on July 1, 1998, pertaining to applications for  
2980 retirement of nuclear generating facilities.]

2981 (k) If an electric distribution company elected to transfer any of its  
2982 nuclear generation assets and related operations and functions to a  
2983 separate corporate affiliate or to a division that is functionally separate  
2984 from the electric distribution company pursuant to section 16-244g, as  
2985 amended by this act, and subsequently sold any such assets in an arm's  
2986 length transaction to an unrelated entity prior to January 1, 2012, the  
2987 net proceeds realized from such sale that exceed book value for such  
2988 assets shall be netted against the total amount of stranded costs, and  
2989 the competitive transition assessment shall be adjusted accordingly  
2990 and, if appropriate, other reimbursement shall be ordered by the  
2991 authority.

2992 [(l) Funds appropriated to the Treasurer in section 21 of public act  
2993 07-1 of the June special session shall be used by the Treasurer for the  
2994 purpose of (1) defeasing some or all of the state rate reduction bonds  
2995 maturing after December 30, 2007, by irrevocably depositing with the  
2996 bond trustee in trust such appropriation to be used for the scheduled  
2997 payments of principal and interest on the said state rate reduction  
2998 bonds and paying operating expenses, (2) purchasing state rate  
2999 reduction bonds maturing after December 30, 2007, in the open market  
3000 on such terms and conditions as the Treasurer determines to be in the

3001 best interest of the state for purposes of satisfying such bonds, or (3)  
3002 defeasing or satisfying some or all of the state rate reduction bonds  
3003 maturing after December 30, 2007, by a combination of the methods  
3004 described in subdivisions (1) and (2) of this subsection. Such  
3005 appropriation is for the purpose of paying debt service on bonds or  
3006 other evidences of indebtedness and related costs and expenses  
3007 provided for in the indenture. After the defeasance or satisfaction of all  
3008 outstanding state rate reduction bonds, the trustee shall deliver to the  
3009 Treasurer or apply in accordance with the instructions of the Treasurer  
3010 all moneys held by it not necessary to defease or satisfy such bonds or  
3011 allocated to pay operating expenses. Such funds shall be first applied  
3012 to satisfy any unpaid operating expenses. After payment of the  
3013 operating expenses, seventy-five per cent of any remaining amounts  
3014 shall be paid to the Energy Conservation and Load Management Fund,  
3015 established pursuant to section 16-245m, and twenty-five per cent of  
3016 such remaining amount shall be paid to the Clean Energy Fund,  
3017 established pursuant to section 16-245n. The Treasurer and the finance  
3018 authority have the authority to take any necessary and appropriate  
3019 actions to implement the defeasance or satisfaction of the state rate  
3020 reduction bonds and the payment of all operating expenses so that the  
3021 amount of state rate reduction charges which before defeasance  
3022 secured the state rate reduction bonds can be applied to the Energy  
3023 Conservation and Load Management Fund and the Clean Energy  
3024 Fund.]

3025 Sec. 85. Subsection (a) of section 16-245f of the 2014 supplement to  
3026 the general statutes is repealed and the following is substituted in lieu  
3027 thereof (*Effective from passage*):

3028 (a) An [electric company or] electric distribution company shall  
3029 submit to the authority an application for a financing order with  
3030 respect to any proposal to sustain funding of conservation and load  
3031 management and renewable energy investment programs by  
3032 substituting disbursements to the General Fund from proceeds of rate  
3033 reduction bonds for such disbursements from the Energy Conservation  
3034 and Load Management Fund established by section 16-245m, as

3035 amended by this act, and from the Clean Energy Fund established by  
3036 section 16-245n, as amended by this act, and may submit to the  
3037 authority an application for a financing order with respect to the  
3038 following stranded costs: (1) The cost of mitigation efforts, as  
3039 calculated pursuant to subsection (c) of section 16-245e, as amended by  
3040 this act; (2) generation-related regulatory assets, as calculated pursuant  
3041 to subsection (e) of section 16-245e, as amended by this act; and (3)  
3042 those long-term contract costs that have been reduced to a fixed  
3043 present value through the buyout, buydown, or renegotiation of such  
3044 contracts, as calculated pursuant to subsection (f) of section 16-245e, as  
3045 amended by this act. No stranded costs shall be funded with the  
3046 proceeds of rate reduction bonds unless (A) the [electric company or]  
3047 electric distribution company proves to the satisfaction of the authority  
3048 that the savings attributable to such funding will be directly passed on  
3049 to customers through lower rates, and (B) the authority determines  
3050 such funding will not result in giving the electric distribution company  
3051 or any generation entities or affiliates an unfair competitive advantage.  
3052 The authority shall hold a hearing for each such electric distribution  
3053 company to determine the amount of disbursements to the General  
3054 Fund from proceeds of rate reduction bonds that may be substituted  
3055 for such disbursements from the Energy Conservation and Load  
3056 Management Fund established by section 16-245m, as amended by this  
3057 act, and from the Clean Energy Fund established by section 16-245n, as  
3058 amended by this act, and thereby constitute transition property and  
3059 the portion of stranded costs that may be included in such funding and  
3060 thereby constitute transition property. Any hearing shall be conducted  
3061 as a contested case in accordance with chapter 54, except that any  
3062 hearing with respect to a financing order or other order to sustain  
3063 funding for conservation and load management and renewable energy  
3064 investment programs by substituting the disbursement to the General  
3065 Fund from the Energy Conservation and Load Management Fund  
3066 established by section 16-245m, as amended by this act, and from the  
3067 Clean Energy Investment Fund established by section 16-245n, as  
3068 amended by this act, shall not be a contested case, as defined in section  
3069 4-166. The authority shall not include any rate reduction bonds as debt

3070 of an electric distribution company in determining the capital structure  
3071 of the company in a rate-making proceeding, for calculating the  
3072 company's return on equity or in any manner that would impact the  
3073 electric distribution company for rate-making purposes, and shall not  
3074 approve such rate reduction bonds that include covenants that have  
3075 provisions prohibiting any change to their appointment of an  
3076 administrator of the Energy Conservation and Load Management  
3077 Fund. Nothing in this subsection shall be deemed to affect the terms of  
3078 subsection (b) of section 16-245m.

3079 Sec. 86. Section 16-245g of the general statutes is repealed and the  
3080 following is substituted in lieu thereof (*Effective from passage*):

3081 (a) The Public Utilities Regulatory Authority shall assess and  
3082 beginning January 1, 2000, impose the competitive transition  
3083 assessment which shall be imposed on all customers of each electric  
3084 distribution company to provide funds for the purposes described in  
3085 subsection (d) of this section. The authority shall hold a hearing that  
3086 shall be conducted as a contested case in accordance with chapter 54,  
3087 except as otherwise provided in section 16-245f, as amended by this  
3088 act, to determine the amount of the competitive transition assessment.

3089 (b) The authority shall consider the effect on all customer rates and  
3090 other factors relevant to reducing rates in determining the amount of  
3091 the competitive transition assessment and the manner in which and  
3092 the period over which it shall be imposed in any decision of the  
3093 authority to set or adjust the competitive transition assessment.

3094 (c) The competitive transition assessment shall be determined by the  
3095 authority in a general and equitable manner and, in accordance with  
3096 the provisions of subsection (b) of section 16-245f, shall be imposed on  
3097 all customers at a rate that is applied equally to all customers of the  
3098 same class in accordance with methods of allocation in effect on July 1,  
3099 1998, provided the competitive transition assessment shall not be  
3100 imposed on customers receiving services under a special contract  
3101 which is in effect on July 1, 1998, until such special contract expires.

3102 The competitive transition assessment shall be imposed beginning on  
3103 January 1, 2000, on all customers receiving services under a special  
3104 contract which is entered into or renewed after July 1, 1998. The  
3105 competitive transition assessment shall have a generally applicable  
3106 manner of determination that may be measured on the basis of  
3107 percentages of total costs of retail sales of electric generation services.  
3108 Subject to the provisions of subsection (b) of section 16-245f, the  
3109 competitive transition assessment shall be payable by customers on an  
3110 equal basis on the same payment terms and shall be eligible or subject  
3111 to prepayment on an equal basis. Any exemption of the competitive  
3112 transition assessment by customers under a special contract shall not  
3113 result in an increase in rates to any customer.

3114 (d) The authority shall establish, fix and revise the competitive  
3115 transition assessment in an amount sufficient at all times to: (1) Pay the  
3116 principal of and the interest on rate reduction bonds as the same shall  
3117 become due and payable; (2) to pay all reasonable and necessary  
3118 expenses relating to the financing; and (3) to pay an electric  
3119 distribution company stranded costs that are not funded with the  
3120 proceeds of rate reduction bonds and interim capital costs determined  
3121 under subdivision (1) of subsection (e) of section 16-244g.

3122 (e) The competitive transition assessment shall be charged to  
3123 customers until the rate reduction bonds are paid in full by the  
3124 financing entity and stranded costs not funded with the proceeds of  
3125 rate reduction bonds are fully recovered by the [electric company or]  
3126 electric distribution company. Amounts collected from a customer  
3127 shall be allocated on a pro rata basis among (1) rates and charges  
3128 described in subparagraph (A) of subdivision (2) of subsection (a) of  
3129 section 16-245e, as amended by this act, (2) rates and charges described  
3130 in subparagraph (B) of subdivision (2) of subsection (a) of section 16-  
3131 245e, as amended by this act, and (3) other charges. To the extent that  
3132 the authority, when issuing a financing order, determines that special  
3133 treatment on customers' bills is necessary or desirable to distinguish  
3134 rates and charges described in subparagraph (A) of subdivision (2) of  
3135 subsection (a) of section 16-245e, as amended by this act, from rates

3136 and charges described in subparagraph (B) of subdivision (2) of  
3137 subsection (a) of section 16-245e, as amended by this act, in order to  
3138 facilitate the successful issuance and sale of rate reduction bonds, it  
3139 may so provide as part of such financing order.

3140 Sec. 87. Section 16-245h of the general statutes is repealed and the  
3141 following is substituted in lieu thereof (*Effective from passage*):

3142 (a) The competitive transition assessment described in  
3143 subparagraph (A) of subdivision (2) of subsection (a) of section 16-  
3144 245e, as amended by this act, shall constitute transition property when,  
3145 and to the extent that, a financing order authorizing such portion of  
3146 the competitive transition assessment has become effective in  
3147 accordance with sections 16-245e to 16-245k, inclusive, as amended by  
3148 this act, and the transition property shall thereafter continuously exist  
3149 as property for all purposes with all of the rights and privileges of  
3150 sections 16-245e to 16-245k, inclusive, as amended by this act, for the  
3151 period and to the extent provided in the financing order, but in any  
3152 event until the rate reduction bonds are paid in full, including all  
3153 principal, interest, premium, costs, and arrearages on such bonds.  
3154 Prior to its sale or other transfer by the [electric company or] electric  
3155 distribution company pursuant to sections 16-245e to 16-245k,  
3156 inclusive, as amended by this act, transition property, other than  
3157 transition property in respect of the economic recovery transfer or in  
3158 respect to disbursements to the General Fund to sustain funding of  
3159 conservation and load management and renewable energy investment  
3160 programs, shall be a vested contract right of the [electric company or]  
3161 electric distribution company, notwithstanding any contrary treatment  
3162 thereof for accounting, tax, or other purpose. Transition property in  
3163 respect of disbursements to the General Fund to sustain funding of  
3164 conservation and load management and renewable energy investment  
3165 programs shall immediately upon its creation vest solely in the  
3166 financing entity. Transition property in respect to the economic  
3167 recovery transfer shall immediately upon its creation vest solely in the  
3168 financing entity. The [electric company or] electric distribution  
3169 company shall have no right, title or interest in transition property in

3170 respect to the economic recovery transfer or in respect of  
3171 disbursements to the General Fund to sustain funding of conservation  
3172 and load management and renewable energy investment programs,  
3173 and in respect of such transition property shall be only a collection  
3174 agent on behalf of the financing entity.

3175 (b) Any surplus competitive transition assessment described in  
3176 subparagraph (A) of subdivision (2) of subsection (a) of section 16-  
3177 245e, as amended by this act, in excess of the amounts necessary to pay  
3178 principal, premium, if any, interest and expenses of the issuance of the  
3179 rate reduction bonds shall be remitted to the financing entity and may  
3180 be used to benefit customers if this would not result in a  
3181 recharacterization of the tax, accounting, and other intended  
3182 characteristics of the financing, including, but not limited to, the  
3183 following:

3184 (1) Avoiding the recognition of debt on the [electric company's or  
3185 the] electric distribution company's balance sheet for financial  
3186 accounting and regulatory purposes;

3187 (2) Treating the rate reduction bonds as debt of the [electric  
3188 company or] electric distribution company or its affiliates for federal  
3189 income tax purposes;

3190 (3) Treating the transfer of the transition property by the [electric  
3191 company or] electric distribution company as a true sale for  
3192 bankruptcy purposes; or

3193 (4) Avoiding any adverse impact of the financing on the credit  
3194 rating of the rate reduction bonds or the [electric company or] electric  
3195 distribution company.

3196 (c) Electric [companies and electric] distribution companies may sell  
3197 and assign all or portions of their interest in transition property to an  
3198 affiliate. Electric [companies and electric] distribution companies or  
3199 their affiliates may sell or assign their interests to one or more  
3200 financing entities that make that property the basis for issuance of rate

3201 reduction bonds to the extent approved in the pertinent financing  
3202 orders. Electric [companies, electric] distribution companies, their  
3203 affiliates, or financing entities may pledge transition property as  
3204 collateral, directly or indirectly, for rate reduction bonds to the extent  
3205 approved in the pertinent financing orders providing for a security  
3206 interest in the transition property, in the manner as set forth in section  
3207 16-245k, as amended by this act. In addition, transition property may  
3208 be sold or assigned by (1) the financing entity or a trustee for the  
3209 holders of rate reduction bonds in connection with the exercise of  
3210 remedies upon a default, or (2) any person acquiring the transition  
3211 property after a sale or assignment pursuant to this subsection.

3212 (d) To the extent that any interest in transition property is so sold or  
3213 assigned, or is so pledged as collateral, the authority shall authorize  
3214 the [electric company or] electric distribution company to contract with  
3215 the financing entity that it will continue to operate its system to  
3216 provide service to its customers, will collect amounts in respect of the  
3217 competitive transition assessment for the benefit and account of the  
3218 financing entity, and will account for and remit these amounts to or for  
3219 the account of the financing entity. Contracting with the financing  
3220 entity in accordance with that authorization shall not impair or negate  
3221 the characterization of the sale, assignment, or pledge as an absolute  
3222 transfer, a true sale, or security interest, as applicable.

3223 Sec. 88. Subsections (a) and (b) of section 16-245i of the general  
3224 statutes are repealed and the following is substituted in lieu thereof  
3225 (*Effective from passage*):

3226 (a) The authority may issue financing orders in accordance with  
3227 sections 16-245e to 16-245k, inclusive, as amended by this act, to fund  
3228 the economic recovery transfer, to sustain funding of conservation and  
3229 load management and renewable energy investment programs by  
3230 substituting disbursements to the General Fund from proceeds of rate  
3231 reduction bonds for such disbursements from the Energy Conservation  
3232 and Load Management Fund established by section 16-245m, as  
3233 amended by this act, and from the Clean Energy Fund established by

3234 section 16-245n, as amended by this act, and to facilitate the provision,  
3235 recovery, financing, or refinancing of stranded costs. Except for a  
3236 financing order in respect to the economic recovery revenue bonds, a  
3237 financing order may be adopted only upon the application of an  
3238 [electric company or] electric distribution company, pursuant to  
3239 section 16-245f, as amended by this act, and shall become effective in  
3240 accordance with its terms only after the [electric company or] electric  
3241 distribution company files with the authority the [electric company's  
3242 or the] electric distribution company's written consent to all terms and  
3243 conditions of the financing order. Any financing order in respect to the  
3244 economic recovery revenue bonds shall be effective on issuance.

3245 (b) (1) Notwithstanding any general or special law, rule, or  
3246 regulation to the contrary, except as otherwise provided in this  
3247 subsection with respect to transition property that has been made the  
3248 basis for the issuance of rate reduction bonds, the financing orders and  
3249 the competitive transition assessment shall be irrevocable and the  
3250 authority shall not have authority either by rescinding, altering, or  
3251 amending the financing order or otherwise, to revalue or revise for  
3252 rate-making purposes the stranded costs, or the costs of providing,  
3253 recovering, financing, or refinancing the stranded costs, the amount of  
3254 the economic recovery transfer or the amount of disbursements to the  
3255 General Fund from proceeds of rate reduction bonds substituted for  
3256 such disbursements from the Energy Conservation and Load  
3257 Management Fund established by section 16-245m, as amended by this  
3258 act, and from the Clean Energy Fund established by section 16-245n, as  
3259 amended by this act, determine that the competitive transition  
3260 assessment is unjust or unreasonable, or in any way reduce or impair  
3261 the value of transition property either directly or indirectly by taking  
3262 the competitive transition assessment into account when setting other  
3263 rates for the [electric company or] electric distribution company; nor  
3264 shall the amount of revenues arising with respect thereto be subject to  
3265 reduction, impairment, postponement, or termination.

3266 (2) Notwithstanding any other provision of this section, the  
3267 authority shall approve the adjustments to the competitive transition

3268 assessment as may be necessary to ensure timely recovery of all  
3269 stranded costs that are the subject of the pertinent financing order, and  
3270 the costs of capital associated with the provision, recovery, financing,  
3271 or refinancing thereof, including the costs of issuing, servicing, and  
3272 retiring the rate reduction bonds issued to recover stranded costs  
3273 contemplated by the financing order and to ensure timely recovery of  
3274 the costs of issuing, servicing, and retiring the rate reduction bonds  
3275 issued to sustain funding of conservation and load management and  
3276 renewable energy investment programs contemplated by the financing  
3277 order, and to ensure timely recovery of the costs of issuing, servicing  
3278 and retiring the economic recovery revenue bonds issued to fund the  
3279 economic recovery transfer contemplated by the financing order.

3280 (3) Notwithstanding any general or special law, rule, or regulation  
3281 to the contrary, any requirement under sections 16-245e to 16-245k,  
3282 inclusive, as amended by this act, or a financing order that the  
3283 authority take action with respect to the subject matter of a financing  
3284 order shall be binding upon the authority, as it may be constituted  
3285 from time to time, and any successor agency exercising functions  
3286 similar to the authority and the authority shall have no authority to  
3287 rescind, alter, or amend that requirement in a financing order. Section  
3288 16-43 shall not apply to any sale, assignment, or other transfer of or  
3289 grant of a security interest in any transition property or the issuance of  
3290 rate reduction bonds under sections 16-245e to 16-245k, inclusive, as  
3291 amended by this act.

3292 Sec. 89. Subsections (a) to (c), inclusive, of section 16-245j of the  
3293 general statutes are repealed and the following is substituted in lieu  
3294 thereof (*Effective from passage*):

3295 (a) (1) Except as provided in subdivision (2) of this subsection, a  
3296 financing entity may issue rate reduction bonds upon approval by the  
3297 authority in the pertinent financing order. Rate reduction bonds shall  
3298 be nonrecourse to the credit or any assets of the [electric company,]  
3299 electric distribution company or the finance authority, other than the  
3300 transition property as specified in the pertinent financing order.

3301 (2) Notwithstanding the provisions of subdivision (1) of this  
3302 subsection, on and after June 21, 2011, no financing entity has the  
3303 power or is authorized to issue economic recovery revenue bonds. No  
3304 competitive transition assessment shall be assessed to secure and pay  
3305 economic recovery revenue bonds.

3306 (b) Except as otherwise provided in this subsection, the state of  
3307 Connecticut does hereby pledge and agree with the owners of  
3308 transition property and holders of rate reduction bonds that the state  
3309 shall neither limit nor alter the competitive transition assessment,  
3310 transition property, financing orders, and all rights thereunder until  
3311 the obligations, together with the interest thereon, are fully met and  
3312 discharged, provided nothing contained in this subsection shall  
3313 preclude the limitation or alteration if and when adequate provision  
3314 shall be made by law for the protection of the owners and holders. The  
3315 finance authority as agent for the state is authorized to include this  
3316 pledge and undertaking for the state in these obligations.

3317 (c) (1) Financing orders and rate reduction bonds shall not be  
3318 deemed to constitute a debt or liability of the state or of any political  
3319 subdivision thereof, other than the financing entity, shall not constitute  
3320 a pledge of the full faith and credit of the state or any of its political  
3321 subdivisions, other than the financing entity, but shall be payable  
3322 solely from the funds provided under sections 16-245e to 16-245k,  
3323 inclusive, as amended by this act, and shall not constitute an  
3324 indebtedness of the state within the meaning of any constitutional or  
3325 statutory debt limitation or restriction and, accordingly, shall not be  
3326 subject to any statutory limitation on the indebtedness of the state and  
3327 shall not be included in computing the aggregate indebtedness of the  
3328 state in respect to and to the extent of any such limitation. This  
3329 subsection shall in no way preclude bond guarantees or enhancements  
3330 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this  
3331 act. All rate reduction bonds shall contain on the face thereof a  
3332 statement to the following effect: "Neither the full faith and credit nor  
3333 the taxing power of the State of Connecticut is pledged to the payment  
3334 of the principal of, or interest on, this bond."

3335 (2) The issuance of rate reduction bonds under sections 16-245e to  
3336 16-245k, inclusive, as amended by this act, shall not directly, indirectly,  
3337 or contingently obligate the state or any political subdivision thereof to  
3338 levy or to pledge any form of taxation therefor or to make any  
3339 appropriation for their payment.

3340 (3) The exercise of the powers granted by sections 16-245e to 16-  
3341 245k, inclusive, as amended by this act, shall be in all respects for the  
3342 benefit of the people of this state, for the increase of their commerce,  
3343 welfare, and prosperity, and as the exercise of such powers shall  
3344 constitute the performance of an essential public function, neither the  
3345 finance authority, any [electric company or] electric distribution  
3346 company, any affiliate of any [electric company or] electric distribution  
3347 company, any financing entity, or any collection or other agent of any  
3348 of the foregoing shall be required to pay any taxes or assessments  
3349 upon or in respect of any revenues or property received, acquired,  
3350 transferred, or used by the finance authority, any [electric company or]  
3351 electric distribution company, any affiliate of any [electric company or]  
3352 electric distribution company, any financing entity, or any collection or  
3353 other agent of any of the foregoing under the provisions of sections 16-  
3354 245e to 16-245k, inclusive, as amended by this act, or upon or in  
3355 respect of the income therefrom, and any rate reduction bonds shall be  
3356 treated as issued by or on behalf of a public instrumentality created  
3357 under the laws of the state for purposes of chapter 229.

3358 (4) (A) The proceeds of any rate reduction bonds, other than  
3359 economic recovery revenue bonds, shall be used for the purposes  
3360 approved by the authority in the financing order, including, but not  
3361 limited to, disbursements to the General Fund in substitution for such  
3362 disbursements from the Energy Conservation and Load Management  
3363 Fund established by section 16-245m, as amended by this act, and from  
3364 the Clean Energy Fund established by section 16-245n, as amended by  
3365 this act, the costs of refinancing or retiring of debt of the [electric  
3366 company or] electric distribution company, and associated federal and  
3367 state tax liabilities; provided such proceeds shall not be applied to  
3368 purchase generation assets or to purchase or redeem stock or to pay

3369 dividends to shareholders or operating expenses other than taxes  
3370 resulting from the receipt of such proceeds.

3371 (B) The proceeds of any economic recovery revenue bonds shall be  
3372 used for the purposes approved by the authority in the financing  
3373 order, including, but not limited to, funding the economic recovery  
3374 transfer, provided such proceeds shall not be applied to purchase  
3375 generation assets or to purchase or redeem stock or to pay dividends  
3376 to shareholders or operating expenses other than taxes resulting from  
3377 the receipt of such proceeds.

3378 (5) Rate reduction bonds are made and declared (A) securities in  
3379 which all public officers and public bodies of the state and its political  
3380 subdivisions, all insurance companies, state banks and trust  
3381 companies, national banking associations, savings banks, savings and  
3382 loan associations, investment companies, executors, administrators,  
3383 trustees and other fiduciaries may properly and legally invest funds,  
3384 including capital in their control or belonging to them, and (B)  
3385 securities which may properly and legally be deposited with and  
3386 received by any state or municipal officer or any agency or political  
3387 subdivision of the state for any purpose for which the deposit of bonds  
3388 or obligations of the state is now or may be authorized.

3389 (6) Rate reduction bonds, other than economic recovery revenue  
3390 bonds, shall mature at such time or times approved by the authority in  
3391 the financing order; provided that such maturity shall not be later than  
3392 December 31, 2011. Economic recovery revenue bonds shall mature at  
3393 such time or times approved by the authority in the financing order,  
3394 provided such maturity shall not be later than eight years after the  
3395 date of issuance, provided such maturity may be extended for  
3396 economic reasons, upon the advice of the financing entity.

3397 (7) Rate reduction bonds issued and at any time outstanding may, if  
3398 and to the extent permitted under the indenture or other agreement  
3399 pursuant to which they are issued, be refunded by other rate reduction  
3400 bonds.

3401 Sec. 90. Section 16-245k of the general statutes is repealed and the  
3402 following is substituted in lieu thereof (*Effective from passage*):

3403 (a) A security interest in transition property is valid, is enforceable  
3404 against the pledgor and third parties, subject to the rights of any third  
3405 parties holding security interests in the transition property perfected in  
3406 the manner described in this section, and attaches when all of the  
3407 following have taken place:

3408 (1) The authority has issued the financing order authorizing the  
3409 competitive transition assessment included in the transition property.

3410 (2) Value has been given by the pledgees of the transition property.

3411 (3) The pledgor has signed a security agreement covering the  
3412 transition property.

3413 (b) A valid and enforceable security interest in transition property is  
3414 perfected when it has attached and when a financing statement has  
3415 been filed in accordance with part 5 of article 9 of title 42a naming the  
3416 pledgor of the transition property as "debtor" and identifying the  
3417 transition property. In such case, the financing statement shall be filed  
3418 as if the debtor were located in this state. Any description of the  
3419 transition property shall be sufficient if it refers to the financing order  
3420 creating the transition property. A copy of the financing statement  
3421 shall be filed with the authority by the [electric company or] electric  
3422 distribution company or the financing entity that is the pledgor or  
3423 transferor of the transition property, and the authority may require the  
3424 [electric company or] electric distribution company or the financing  
3425 entity to make other filings with respect to the security interest in  
3426 accordance with procedures it may establish, provided that the filings  
3427 shall not affect the perfection of the security interest.

3428 (c) A perfected security interest in transition property is a  
3429 continuously perfected security interest in all revenues and proceeds  
3430 arising with respect thereto, whether or not the revenues or proceeds  
3431 have accrued. Conflicting security interests shall rank according to

3432 priority in time of perfection. Transition property shall constitute  
3433 property for all purposes, including for contracts securing rate  
3434 reduction bonds, whether or not the revenues and proceeds arising  
3435 with respect thereto have accrued.

3436 (d) Subject to the terms of the security agreement covering the  
3437 transition property and the rights of any third parties holding security  
3438 interests in the transition property perfected in the manner described  
3439 in this section, the validity and relative priority of a security interest  
3440 created under this section are not defeated or adversely affected by the  
3441 commingling of revenues arising with respect to the transition  
3442 property with other funds of the [electric company or] electric  
3443 distribution company that is the pledgor or transferor of, or the  
3444 collection agent with respect to, the transition property, or by any  
3445 security interest in a deposit account of that [electric company or]  
3446 electric distribution company into which the revenues are deposited or  
3447 in such revenues themselves perfected under article 9 of title 42a or  
3448 otherwise. Subject to the terms of the security agreement, the pledgees  
3449 of the transition property shall have a perfected security interest in all  
3450 cash and deposit accounts of the [electric company or] electric  
3451 distribution company in which revenues arising with respect to the  
3452 transition property have been commingled with other funds, but the  
3453 perfected security interest shall be limited to an amount not greater  
3454 than the amount of the revenues with respect to the transition property  
3455 received by the [electric company or] electric distribution company  
3456 within twelve months before (1) any default under the security  
3457 agreement, or (2) the institution of insolvency proceedings by or  
3458 against the [electric company or] electric distribution company, less  
3459 payments from the revenues to the pledgees during that twelve-month  
3460 period.

3461 (e) If an event of default occurs under the security agreement  
3462 covering the transition property, the pledgees of the transition  
3463 property, subject to the terms of the security agreement, shall have all  
3464 rights and remedies of a secured party upon default under article 9 of  
3465 title 42a, and shall be entitled to foreclose or otherwise enforce their

3466 security interest in the transition property, subject to the rights of any  
3467 third parties holding prior security interests in the transition property  
3468 perfected in the manner provided in this section. In addition, the  
3469 authority may require, in the financing order creating the transition  
3470 property, that, in the event of default by the [electric company or]  
3471 electric distribution company in payment of revenues arising with  
3472 respect to the transition property, the authority and any successor  
3473 thereto, upon the application by the pledgees or transferees, including  
3474 transferees under this section, of the transition property, and without  
3475 limiting any other remedies available to the pledgees or transferees by  
3476 reason of the default, shall order the sequestration and payment to the  
3477 pledgees or transferees of revenues arising with respect to the  
3478 transition property. Any order shall remain in full force and effect  
3479 notwithstanding any bankruptcy, reorganization, or other insolvency  
3480 proceedings with respect to the debtor, pledgor, or transferor of the  
3481 transition property. Any surplus in excess of amounts necessary to pay  
3482 principal, premium, if any, interest, costs, and arrearages on the rate  
3483 reduction bonds, and other costs arising under the security agreement,  
3484 shall be remitted to the debtor or to the pledgor or transferor.

3485 (f) Sections 42a-9-204 and 42a-9-205 shall apply to a pledge of  
3486 transition property by an [electric company or] electric distribution  
3487 company, an affiliate of an [electric company or] electric distribution  
3488 company, or a financing entity.

3489 (g) This section sets forth the terms by which a consensual security  
3490 interest can be created and perfected in the transition property. Unless  
3491 otherwise ordered by the authority with respect to any series of rate  
3492 reduction bonds on or prior to the issuance of the series, there shall  
3493 exist a statutory lien as provided in this subsection. Upon the effective  
3494 date of the financing order, there shall exist a first priority lien on all  
3495 transition property then existing or thereafter arising pursuant to the  
3496 terms of the financing order. This lien shall arise by operation of this  
3497 section automatically without any action on the part of the [electric  
3498 company or] electric distribution company, any affiliate thereof, the  
3499 financing entity, or any other person. This lien shall secure all

3500 obligations, then existing or subsequently arising, to the holders of the  
3501 rate reduction bonds issued pursuant to the financing order, the  
3502 trustee or representative for the holders, and any other entity specified  
3503 in the financing order. The persons for whose benefit this lien is  
3504 established shall, upon the occurrence of any defaults specified in the  
3505 financing order, have all rights and remedies of a secured party upon  
3506 default under article 9 of title 42a, and shall be entitled to foreclose or  
3507 otherwise enforce this statutory lien in the transition property. This  
3508 lien shall attach to the transition property regardless of who shall own,  
3509 or shall subsequently be determined to own, the transition property  
3510 including any [electric company or] electric distribution company, any  
3511 affiliate thereof, the financing entity, or any other person. This lien  
3512 shall be valid, perfected, and enforceable against the owner of the  
3513 transition property and all third parties upon the effectiveness of the  
3514 financing order without any further public notice; provided, however,  
3515 that any person may, but shall not be required to, file a financing  
3516 statement in accordance with subsection (b) of this section. Financing  
3517 statements so filed may be "protective filings" and shall not be  
3518 evidence of the ownership of the transition property. A perfected  
3519 statutory lien in transition property is a continuously perfected lien in  
3520 all revenues and proceeds arising with respect thereto, whether or not  
3521 the revenues or proceeds have accrued. Conflicting liens shall rank  
3522 according to priority in time of perfection. Transition property shall  
3523 constitute property for all purposes, including for contracts securing  
3524 rate reduction bonds, whether or not the revenues and proceeds  
3525 arising with respect thereto have accrued. In addition, the authority  
3526 may require, in the financing order creating the transition property,  
3527 that, in the event of default by the [electric company or] electric  
3528 distribution company in payment of revenues arising with respect to  
3529 transition property, the authority and any successor thereto, upon the  
3530 application by the beneficiaries of the statutory lien, and without  
3531 limiting any other remedies available to the beneficiaries by reason of  
3532 the default, shall order the sequestration and payment to the  
3533 beneficiaries of revenues arising with respect to the transition  
3534 property. Any order shall remain in full force and effect

3535 notwithstanding any bankruptcy, reorganization, or other insolvency  
3536 proceedings with respect to the debtor, pledgor, or transferor of the  
3537 transition property. Any surplus in excess of amounts necessary to pay  
3538 principal, premium, if any, interest, costs, and arrearages on the rate  
3539 reduction bonds, and other costs arising in connection with the  
3540 documents governing the rate reduction bonds, shall be remitted to the  
3541 debtor or to the pledgor or transferor.

3542 (h) A transfer of transition property by an [electric company or]  
3543 electric distribution company to an affiliate or to a financing entity, or  
3544 by an affiliate of an [electric company or] electric distribution company  
3545 or a financing entity to another financing entity, which the parties have  
3546 in the governing documentation expressly stated to be a sale or other  
3547 absolute transfer, in a transaction approved in a financing order, shall  
3548 be treated as an absolute transfer of all of the transferor's right, title,  
3549 and interest, as in a true sale, and not as a pledge or other financing, of  
3550 the transition property, in each case notwithstanding any contrary  
3551 treatment of such transfer for accounting, tax, or other purposes.  
3552 Granting to holders of rate reduction bonds a preferred right to  
3553 revenues of the [electric company or] electric distribution company or  
3554 the financing entity, or the provision by the company of other credit  
3555 enhancement with respect to rate reduction bonds, shall not impair or  
3556 negate the characterization of any transfer as a true sale, in each case  
3557 notwithstanding any contrary treatment of such transfer for  
3558 accounting, tax or other purposes.

3559 (i) A transfer of transition property shall be deemed perfected as  
3560 against third persons when both of the following have taken place:

3561 (1) The authority has issued the financing order authorizing the  
3562 competitive transition assessment included in the transition property.

3563 (2) An assignment of the transition property in writing has been  
3564 executed and delivered to the transferee.

3565 (j) As between bona fide assignees of the same right for value  
3566 without notice, the assignee first filing a financing statement in

3567 accordance with part 5 of article 9 of title 42a naming the assignor of  
3568 the transition property as debtor and identifying the transition  
3569 property has priority. In such case, the financing statement shall be  
3570 filed as if the debtor were located in this state. Any description of the  
3571 transition property shall be sufficient if it refers to the financing order  
3572 creating the transition property. A copy of the financing statement  
3573 shall be filed by the assignee or the financing entity with the authority,  
3574 and the authority may require the assignor or the assignee or the  
3575 financing entity to make other filings with respect to the transfer in  
3576 accordance with procedures it may establish, but these filings shall not  
3577 affect the perfection of the transfer.

3578 (k) Any successor to the [electric company or] electric distribution  
3579 company, whether pursuant to any bankruptcy, reorganization, or  
3580 other insolvency proceeding, or pursuant to any merger, sale, or  
3581 transfer, by operation of law, or otherwise, shall perform and satisfy all  
3582 obligations of the [electric company or] electric distribution company  
3583 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this  
3584 act, in the same manner and to the same extent as the [electric  
3585 company or] electric distribution company, including, but not limited  
3586 to, collecting and paying to the holders of rate reduction bonds or their  
3587 representatives or the applicable financing entity revenues arising with  
3588 respect to the transition property sold to the applicable financing entity  
3589 or pledged to secure rate reduction bonds.

3590 (l) The authority of the Public Utilities Regulatory Authority to issue  
3591 financing orders pursuant to sections 16-245e to 16-245k, inclusive, as  
3592 amended by this act, shall expire on December 31, 2008, with respect to  
3593 bonds other than economic recovery revenue bonds. The authority of  
3594 the Public Utilities Regulatory Authority to issue financing orders  
3595 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this  
3596 act, with respect to economic recovery revenue bonds shall expire on  
3597 December 31, 2012. The expiration of such authority shall have no  
3598 effect upon financing orders adopted by the Public Utilities Regulatory  
3599 Authority pursuant to sections 16-245e to 16-245k, inclusive, as  
3600 amended by this act, or any transition property arising therefrom, or

3601 upon the charges authorized to be levied thereunder, or the rights,  
3602 interests, and obligations of the [electric company or] electric  
3603 distribution company or a financing entity or holders of rate reduction  
3604 bonds pursuant to the financing order, or the authority of the Public  
3605 Utilities Regulatory Authority to monitor, supervise, or take further  
3606 action with respect to the financing order in accordance with the terms  
3607 of sections 16-245e to 16-245k, inclusive, as amended by this act, and of  
3608 the financing order.

3609 Sec. 91. Subsections (a) to (d), inclusive, of section 16-245o of the  
3610 2014 supplement to the general statutes are repealed and the following  
3611 is substituted in lieu thereof (*Effective from passage*):

3612 (a) To protect a customer's right to privacy from unwanted  
3613 solicitation, each [electric company or] electric distribution company [,  
3614 as the case may be,] shall distribute to each customer a form approved  
3615 by the Public Utilities Regulatory Authority which the customer shall  
3616 submit to the customer's [electric or] electric distribution company in a  
3617 timely manner if the customer does not want the customer's name,  
3618 address, telephone number and rate class to be released to electric  
3619 suppliers. On and after July 1, 1999, each [electric or] electric  
3620 distribution company [, as the case may be,] shall make available to all  
3621 electric suppliers customer names, addresses, telephone numbers, if  
3622 known, and rate class, unless the [electric company or] electric  
3623 distribution company has received a form from a customer requesting  
3624 that such information not be released. Additional information about a  
3625 customer for marketing purposes shall not be released to any electric  
3626 supplier unless a customer consents to a release by one of the  
3627 following: (1) An independent third-party telephone verification; (2)  
3628 receipt of a written confirmation received in the mail from the  
3629 customer after the customer has received an information package  
3630 confirming any telephone agreement; (3) the customer signs a  
3631 document fully explaining the nature and effect of the release; or (4)  
3632 the customer's consent is obtained through electronic means,  
3633 including, but not limited to, a computer transaction.

3634 (b) All electric suppliers shall have equal access to customer  
3635 information required to be disclosed under subsection (a) of this  
3636 section. No electric supplier shall have preferential access to historical  
3637 distribution company customer usage data.

3638 (c) No [electric or] electric distribution company shall include in any  
3639 bill or bill insert anything that directly or indirectly promotes a  
3640 generation entity or affiliate of the electric distribution company. No  
3641 electric supplier shall include a bill insert in an electric bill of an  
3642 electric distribution company.

3643 (d) All marketing information provided pursuant to the provisions  
3644 of this section shall be formatted electronically by the [electric  
3645 company or] electric distribution company [, as the case may be,] in a  
3646 form that is readily usable by standard commercial software packages.  
3647 Updated lists shall be made available within a reasonable time, as  
3648 determined by the authority, following a request by an electric  
3649 supplier. Each electric supplier seeking the information shall pay a fee  
3650 to the [electric company or] electric distribution company [, as the case  
3651 may be,] which reflects the incremental costs of formatting, sorting and  
3652 distributing this information, together with related software changes.  
3653 Customers shall be entitled to any available individual information  
3654 about their loads or usage at no cost.

3655 Sec. 92. Subsection (a) of section 16-245p of the 2014 supplement to  
3656 the general statutes is repealed and the following is substituted in lieu  
3657 thereof (*Effective from passage*):

3658 (a) An electric supplier and an electric distribution company  
3659 providing standard service or back-up electric generation service,  
3660 pursuant to section 16-244c, as amended by this act, shall submit  
3661 information to the Public Utilities Regulatory Authority that the  
3662 authority determines will assist customers in making informed  
3663 decisions when choosing an electric supplier, including, but not  
3664 limited to, the information provided in subsection (b) of this section.  
3665 Each supplier or electric distribution company providing standard

3666 service or back-up electric generation service, pursuant to section 16-  
3667 244c, as amended by this act, shall, at such times as the authority  
3668 requires, but not less than annually, submit in a form prescribed by the  
3669 authority, information that the authority must make available  
3670 pursuant to subsection (b) of this section and any other information the  
3671 authority considers relevant. After the authority has received the  
3672 information required pursuant to this subsection, the supplier shall be  
3673 eligible to receive customer marketing information from [electric or]  
3674 electric distribution companies, as provided in section 16-245o, as  
3675 amended by this act.

3676 Sec. 93. Subsection (a) of section 16-245y of the 2014 supplement to  
3677 the general statutes is repealed and the following is substituted in lieu  
3678 thereof (*Effective from passage*):

3679 (a) Not later than October 1, 1999, and annually thereafter, each  
3680 [electric company and] electric distribution company, as defined in  
3681 section 16-1, as amended by this act, shall report to the Public Utilities  
3682 Regulatory Authority its system average interruption duration index  
3683 (SAIDI) and its system average interruption frequency index (SAIFI)  
3684 for the preceding twelve months. For purposes of this section: (1)  
3685 Interruptions shall not include outages attributable to major storms,  
3686 scheduled outages and outages caused by customer equipment, each  
3687 as determined by the authority; (2) SAIDI shall be calculated as the  
3688 sum of customer interruptions in the preceding twelve-month period,  
3689 in minutes, divided by the average number of customers served  
3690 during that period; and (3) SAIFI shall be calculated as the total  
3691 number of customers interrupted in the preceding twelve-month  
3692 period, divided by the average number of customers served during  
3693 that period. Not later than January 1, 2000, and annually thereafter, the  
3694 authority shall report on the SAIDI and SAIFI data for each [electric  
3695 company and] electric distribution company, and all state-wide SAIDI  
3696 and SAIFI data to the joint standing committee of the General  
3697 Assembly having cognizance of matters relating to energy.

3698 Sec. 94. Section 16-245ii of the general statutes is repealed and the

3699 following is substituted in lieu thereof (*Effective from passage*):

3700 Commencing January 1, 2012, each electric distribution [, electric]  
3701 and gas company shall maintain and make available to the public, free  
3702 of charge, records of the energy consumption data of all typical  
3703 nonresidential buildings to which such company provides service. This  
3704 data shall be maintained in a format (1) compatible for uploading to  
3705 the United States Environmental Protection Agency's Energy Star  
3706 portfolio manager or similar system, for at least the most recent thirty-  
3707 six months, and (2) that preserves the confidentiality of the customer.

3708 Sec. 95. Section 16-245jj of the general statutes is repealed and the  
3709 following is substituted in lieu thereof (*Effective from passage*):

3710 Commencing January 1, 2012, each electric distribution [, electric]  
3711 and gas company shall provide aggregate town customer usage  
3712 information by customer class that preserves the confidentiality of  
3713 individual customers to any legislative body of a municipality that  
3714 requests such information.

3715 Sec. 96. Subsection (a) of section 16-246e of the general statutes is  
3716 repealed and the following is substituted in lieu thereof (*Effective from*  
3717 *passage*):

3718 (a) The Governor may designate the Public Utilities Regulatory  
3719 Authority as the agent of the state, subject only to the limitation under  
3720 subsection (b) of this section, to conduct negotiations and perform all  
3721 acts necessary to procure electric power capacity, power output from  
3722 such capacity or both from any out-of-state electric power producer, to  
3723 transmit it to within the state and to sell or resell it on a nonprofit basis  
3724 for distribution within the state to electric distribution companies, as  
3725 defined in section 16-1, as amended by this act, municipal electric  
3726 utilities established under chapter 101, municipal electric energy  
3727 cooperatives organized under chapter 101a, membership electric  
3728 cooperatives organized under chapter 597 and such other persons or  
3729 entities as may be designated by the Governor. The authority, if  
3730 designated as such agent, shall arrange for the sale or resale of such

3731 power on an equitable basis and in such manner as it finds will most  
3732 effectively promote the objectives of this title, chapters 101, 101a and  
3733 597, and section 16a-35k, subject to any conditions or limitations  
3734 imposed by the out-of-state electric power producer selling such  
3735 power. The authority, if so designated, may also enter into any  
3736 contracts or other arrangements for the sale or resale of such power for  
3737 transmission outside the state if such sale or resale is reasonably  
3738 incidental to and furthers the needs of the state and the purposes of  
3739 this section.

3740 Sec. 97. Section 16-246f of the general statutes is repealed and the  
3741 following is substituted in lieu thereof (*Effective from passage*):

3742 (a) As used in this section:

3743 (1) "Assistance" means any aid or support provided, or any actions  
3744 taken by a domestic electric company for or on behalf of another  
3745 domestic electric company or by a foreign electric company for or on  
3746 behalf of a domestic electric company including, without limitation,  
3747 the temporary transfer or use of repair personnel and equipment;

3748 (2) "Domestic electric company" means any [electric company or]  
3749 electric distribution company, as defined in section 16-1, as amended  
3750 by this act, any membership electric cooperative organized under  
3751 chapter 597 and any municipal electric utility or municipal electric  
3752 energy cooperative, as defined respectively in section 7-233b, which  
3753 has been chartered by or organized or constituted within or under the  
3754 laws of this state;

3755 (3) "Foreign electric company" [shall have the same meaning as  
3756 provided in section 16-246a] means a corporation, company,  
3757 association, joint stock association or trust organized under the laws of  
3758 a state other than this state, as well as a town, city, borough, or any  
3759 municipal corporation, department or agency thereof, whether  
3760 separately incorporated or not, of a state other than this state,  
3761 authorized under the laws of the state in which organized to generate  
3762 or transmit electric energy.

3763 (b) Notwithstanding any contrary provision of any general statute  
3764 or special act, or any limitation imposed by its charter, a domestic  
3765 electric company shall have the power to request assistance from and  
3766 provide assistance to other domestic electric companies and to foreign  
3767 electric companies and to enter into agreements regarding the  
3768 reimbursement of expenses and other matters and to perform such  
3769 other acts as may be necessary or desirable to request and provide  
3770 such assistance. A domestic electric company shall not be exempt from  
3771 nor forfeit the benefits of the provisions of any applicable laws solely  
3772 by requesting or providing such assistance, except as provided in this  
3773 section.

3774 (c) Notwithstanding any contrary provision of any general statute  
3775 or special act, a foreign electric company shall have the right to request  
3776 assistance from and provide assistance to domestic electric companies  
3777 and to enter into agreements regarding the reimbursement of expenses  
3778 and other matters and to perform such other acts as may be necessary  
3779 or desirable to request and provide such assistance. A foreign electric  
3780 company shall not constitute an ["electric company"] "electric  
3781 distribution company" or a "public service company" for the purposes  
3782 of this title solely by requesting or providing assistance in this state.

3783 Sec. 98. Subsections (a) to (c), inclusive, of section 16-259a of the  
3784 general statutes are repealed and the following is substituted in lieu  
3785 thereof (*Effective from passage*):

3786 (a) No [electric,] electric distribution, gas or water company or  
3787 electric supplier, which inaccurately bills a retail customer for service  
3788 may bill or otherwise hold the customer financially liable for more  
3789 than one year after the customer receives such service, unless the  
3790 customer, either alone or with an individual other than an employee of  
3791 the company, by an affirmative act, is responsible for the inaccurate  
3792 billing or fails to provide for reasonable access to the premises where  
3793 the company's meter is located by an employee of the company during  
3794 business hours for the purpose of reading the meter.

3795 (b) Any such [electric,] electric distribution, gas or water company  
3796 or electric supplier which inaccurately bills a retail customer for  
3797 service may bill or otherwise hold the customer financially liable for  
3798 not more than one year after the customer receives such service, unless  
3799 a delayed bill for the service (1) would deprive the customer of the  
3800 opportunity to apply for or receive energy assistance or (2) is the result  
3801 of the customer's meter erroneously registering another customer's  
3802 consumption, in which case the company may not bill or otherwise  
3803 hold the customer liable for the service provided to another customer.

3804 (c) No telephone company or certified telecommunications provider  
3805 that inaccurately bills a retail customer for service may bill or  
3806 otherwise hold the customer financially liable for more than two years  
3807 or the time provided in federal law, whichever is longer, after the  
3808 customer receives such service, unless the customer, either alone or  
3809 with a person other than an employee of the telephone company or  
3810 certified telecommunications provider by an affirmative act, is  
3811 responsible for the inaccurate billing.

3812 Sec. 99. Section 16-261 of the general statutes is repealed and the  
3813 following is substituted in lieu thereof (*Effective from passage*):

3814 (a) The Public Utilities Regulatory Authority shall order and direct  
3815 the [electric and] electric distribution companies providing electric  
3816 distribution services in this state to extend lines in their chartered  
3817 territory to all unserved areas having a density of subscribers for  
3818 electric distribution service averaging at least two per mile on such  
3819 proposed new lines, in accordance with the provisions of this section.

3820 (b) The Public Utilities Regulatory Authority is directed, in  
3821 considering the rates of [electric or] electric distribution companies or  
3822 in the proceedings having to do with such rates, to consider the  
3823 expenses and revenues of each company as a whole, in arriving at a  
3824 fair return on the fair value of such properties. In prescribing a rate for  
3825 service on such new lines, the authority shall exercise its statutory  
3826 powers, except that the guarantee required shall not exceed thirteen

3827 dollars and fifty cents per mile per month.

3828 (c) The Public Utilities Regulatory Authority is directed to advance  
3829 the objects of this section in every lawful manner.

3830 (d) Nothing in this section shall authorize the Public Utilities  
3831 Regulatory Authority to order and direct [electric or] electric  
3832 distribution companies to extend their lines in their chartered territory  
3833 over or under any body of water or elsewhere than along public  
3834 highways unless said authority, exercising its powers under section 16-  
3835 20, finds such extension to be economically justifiable.

3836 Sec. 100. Section 16-262c of the 2014 supplement to the general  
3837 statutes is repealed and the following is substituted in lieu thereof  
3838 (*Effective from passage*):

3839 (a) Notwithstanding any other provision of the general statutes no  
3840 [electric,] electric distribution, gas, telephone or water company, no  
3841 electric supplier or certified telecommunications provider, and no  
3842 municipal utility furnishing electric, gas, telephone or water service  
3843 shall cause cessation of any such service by reason of delinquency in  
3844 payment for such service (1) on any Friday, Saturday, Sunday, legal  
3845 holiday or day before any legal holiday, provided such a company,  
3846 electric supplier, certified telecommunications provider or municipal  
3847 utility may cause cessation of such service to a nonresidential account  
3848 on a Friday which is not a legal holiday or the day before a legal  
3849 holiday when the business offices of the company, electric supplier,  
3850 certified telecommunications provider or municipal utility are open to  
3851 the public the succeeding Saturday, (2) at any time during which the  
3852 business offices of said company, electric supplier, certified  
3853 telecommunications provider or municipal utility are not open to the  
3854 public, or (3) within one hour before the closing of the business offices  
3855 of said company, electric supplier or municipal utility.

3856 (b) (1) From November first to May first, inclusive, no [electric or]  
3857 electric distribution company, as defined in section 16-1, as amended  
3858 by this act, no electric supplier and no municipal utility furnishing

3859 electricity shall terminate, deny or refuse to reinstate residential  
3860 electric service in hardship cases where the customer lacks the  
3861 financial resources to pay his or her entire account. From November  
3862 first to May first, inclusive, no gas company and no municipal utility  
3863 furnishing gas shall terminate, deny or refuse to reinstate residential  
3864 gas service in hardship cases where the customer uses such gas for  
3865 heat and lacks the financial resources to pay his or her entire account,  
3866 except a gas company that, between May second and October thirty-  
3867 first, terminated gas service to a residential customer who uses gas for  
3868 heat and who, during the previous period of November first to May  
3869 first, had gas service maintained because of hardship status, may  
3870 refuse to reinstate the gas service from November first to May first,  
3871 inclusive, only if the customer has failed to pay, since the preceding  
3872 November first, the lesser of: (A) Twenty per cent of the outstanding  
3873 principal balance owed the gas company as of the date of termination,  
3874 (B) one hundred dollars, or (C) the minimum payments due under the  
3875 customer's amortization agreement. Notwithstanding any other  
3876 provision of the general statutes to the contrary, no [electric,] electric  
3877 distribution or gas company, no electric supplier and no municipal  
3878 utility furnishing electricity or gas shall terminate, deny or refuse to  
3879 reinstate residential electric or gas service where the customer lacks the  
3880 financial resources to pay his or her entire account and for which  
3881 customer or a member of the customer's household the termination,  
3882 denial of or failure to reinstate such service would create a life-  
3883 threatening situation. No [electric,] electric distribution or gas  
3884 company, no electric supplier and no municipal utility furnishing  
3885 electricity or gas shall terminate, deny or refuse to reinstate residential  
3886 electric or gas service where the customer is a hardship case and lacks  
3887 the financial resources to pay his or her entire account and a child not  
3888 more than twenty-four months old resides in the customer's household  
3889 and such child has been admitted to the hospital and received  
3890 discharge papers on which the attending physician or an advanced  
3891 practice registered nurse has indicated such service is a necessity for  
3892 the health and well being of such child.

3893 (2) During any period in which a residential customer is subject to  
3894 termination, an [electric,] electric distribution or gas company, an  
3895 electric supplier or a municipal utility furnishing electricity or gas shall  
3896 provide such residential customer whose account is delinquent an  
3897 opportunity to enter into a reasonable amortization agreement with  
3898 such company, electric supplier or utility to pay such delinquent  
3899 account and to avoid termination of service. Such amortization  
3900 agreement shall allow such customer adequate opportunity to apply  
3901 for and receive the benefits of any available energy assistance  
3902 program. An amortization agreement shall be subject to amendment  
3903 on customer request if there is a change in the customer's financial  
3904 circumstances.

3905 (3) As used in this section, (A) "household income" means the  
3906 combined income over a twelve-month period of the customer and all  
3907 adults, except children of the customer, who are and have been  
3908 members of the household for six months or more, and (B) "hardship  
3909 case" includes, but is not limited to: (i) A customer receiving local, state  
3910 or federal public assistance; (ii) a customer whose sole source of  
3911 financial support is Social Security, Veterans' Administration or  
3912 unemployment compensation benefits; (iii) a customer who is head of  
3913 the household and is unemployed, and the household income is less  
3914 than three hundred per cent of the poverty level determined by the  
3915 federal government; (iv) a customer who is seriously ill or who has a  
3916 household member who is seriously ill; (v) a customer whose income  
3917 falls below one hundred twenty-five per cent of the poverty level  
3918 determined by the federal government; and (vi) a customer whose  
3919 circumstances threaten a deprivation of food and the necessities of life  
3920 for himself or dependent children if payment of a delinquent bill is  
3921 required.

3922 (4) In order for a residential customer of a gas or electric distribution  
3923 company using gas or electricity for heat to be eligible to have any  
3924 moneys due and owing deducted from the customer's delinquent  
3925 account pursuant to this subdivision, the company furnishing gas or  
3926 electricity shall require that the customer (A) apply and be eligible for

3927 benefits available under the Connecticut energy assistance program or  
3928 state appropriated fuel assistance program; (B) authorize the company  
3929 to send a copy of the customer's monthly bill directly to any energy  
3930 assistance agency for payment; (C) enter into and comply with an  
3931 amortization agreement, which agreement is consistent with decisions  
3932 and policies of the Public Utilities Regulatory Authority. Such an  
3933 amortization agreement shall reduce a customer's payment by the  
3934 amount of the benefits reasonably anticipated from the Connecticut  
3935 energy assistance program, state appropriated fuel assistance program  
3936 or other energy assistance sources. Unless the customer requests  
3937 otherwise, the company shall budget a customer's payments over a  
3938 twelve-month period with an affordable increment to be applied to  
3939 any arrearage, provided such payment plan will not result in loss of  
3940 any energy assistance benefits to the customer. If a customer  
3941 authorizes the company to send a copy of his monthly bill directly to  
3942 any energy assistance agency for payment, the energy assistance  
3943 agency shall make payments directly to the company. If, on April  
3944 thirtieth, a customer has been in compliance with the requirements of  
3945 subparagraphs (A) to (C), inclusive, of this subdivision, during the  
3946 period starting on the preceding November first, or from such time as  
3947 the customer's account becomes delinquent, the company shall deduct  
3948 from such customer's delinquent account an additional amount equal  
3949 to the amount of money paid by the customer between the preceding  
3950 November first and April thirtieth and paid on behalf of the customer  
3951 through the Connecticut energy assistance program and state  
3952 appropriated fuel assistance program. Any customer in compliance  
3953 with the requirements of subparagraphs (A) to (C), inclusive, of this  
3954 subdivision, on April thirtieth who continues to comply with an  
3955 amortization agreement through the succeeding October thirty-first,  
3956 shall also have an amount equal to the amount paid pursuant to such  
3957 agreement and any amount paid on behalf of such customer between  
3958 May first and the succeeding October thirty-first deducted from the  
3959 customer's delinquent account. In no event shall the deduction of any  
3960 amounts pursuant to this subdivision result in a credit balance to the  
3961 customer's account. No customer shall be denied the benefits of this

3962 subdivision due to an error by the company. The Public Utilities  
3963 Regulatory Authority shall allow the amounts deducted from the  
3964 customer's account pursuant to the implementation plan, described in  
3965 subdivision (5) of this subsection, to be recovered by the company in  
3966 its rates as an operating expense, pursuant to said implementation  
3967 plan. If the customer fails to comply with the terms of the amortization  
3968 agreement or any decision of the authority rendered in lieu of such  
3969 agreement and the requirements of subparagraphs (A) to (C),  
3970 inclusive, of this subdivision, the company may terminate service to  
3971 the customer, pursuant to all applicable regulations, provided such  
3972 termination shall not occur between November first and May first.

3973 (5) Each gas and electric distribution company shall submit to the  
3974 Public Utilities Regulatory Authority annually, on or before July first,  
3975 an implementation plan which shall include information concerning  
3976 amortization agreements, counseling, reinstatement of eligibility, rate  
3977 impacts and any other information deemed relevant by the authority.  
3978 The Public Utilities Regulatory Authority may, in consultation with the  
3979 Office of Policy and Management, approve or modify such plan within  
3980 ninety days of receipt of the plan. If the authority does not take any  
3981 action on such plan within ninety days of its receipt, the plan shall  
3982 automatically take effect at the end of the ninety-day period, provided  
3983 the authority may extend such period for an additional thirty days by  
3984 notifying the company before the end of the ninety-day period. Any  
3985 amount recovered by a company in its rates pursuant to this  
3986 subsection shall not include any amount approved by the Public  
3987 Utilities Regulatory Authority as an uncollectible expense. The  
3988 authority may deny all or part of the recovery required by this  
3989 subsection if it determines that the company seeking recovery has been  
3990 imprudent, inefficient or acting in violation of statutes or regulations  
3991 regarding amortization agreements.

3992 (6) On or after January 1, 1993, the Public Utilities Regulatory  
3993 Authority may require gas companies to expand the provisions of  
3994 subdivisions (4) and (5) of this subsection to all hardship customers.  
3995 Any such requirement shall not be effective until November 1, 1993.

3996 (7) (A) All [electric,] electric distribution and gas companies, electric  
3997 suppliers and municipal utilities furnishing electricity or gas shall  
3998 collaborate in developing, subject to approval by the Public Utilities  
3999 Regulatory Authority, standard provisions for the notice of  
4000 delinquency and impending termination under subsection (a) of  
4001 section 16-262d, as amended by this act. Each such company and  
4002 utility shall place on the front of such notice a provision that the  
4003 company, electric supplier or utility shall not effect termination of  
4004 service to a residential dwelling for nonpayment of disputed bills  
4005 during the pendency of any complaint. In addition, the notice shall  
4006 state that the customer must pay current and undisputed bill amounts  
4007 during the pendency of the complaint. (B) At the beginning of any  
4008 discussion with a customer concerning a reasonable amortization  
4009 agreement, any such company or utility shall inform the customer (i)  
4010 of the availability of a process for resolving disputes over what  
4011 constitutes a reasonable amortization agreement, (ii) that the company,  
4012 electric supplier or utility will refer such a dispute to one of its review  
4013 officers as the first step in attempting to resolve the dispute, and (iii)  
4014 that the company, electric supplier or utility shall not effect  
4015 termination of service to a residential dwelling for nonpayment of a  
4016 delinquent account during the pendency of any complaint,  
4017 investigation, hearing or appeal initiated by the customer, unless the  
4018 customer fails to pay undisputed bills, or undisputed portions of bills,  
4019 for service received during such period. (C) Each such company,  
4020 electric supplier and utility shall inform and counsel all customers who  
4021 are hardship cases as to the availability of all public and private energy  
4022 conservation programs, including programs sponsored or subsidized  
4023 by such companies and utilities, eligibility criteria, where to apply, and  
4024 the circumstances under which such programs are available without  
4025 cost.

4026 (8) The Public Utilities Regulatory Authority shall adopt regulations  
4027 in accordance with chapter 54 to carry out the provisions of this  
4028 subsection. Such regulations shall include, but not be limited to,  
4029 criteria for determining hardship cases and for reasonable

4030 amortization agreements, including appeal of such agreements, for  
4031 categories of customers. Such regulations may include the  
4032 establishment of a reasonable rate of interest which a company may  
4033 charge on the unpaid balance of a customer's delinquent bill and a  
4034 description of the relationship and responsibilities of electric suppliers  
4035 to customers.

4036 (c) Each [electric,] electric distribution and gas company, electric  
4037 supplier and municipal utility shall, not later than December first,  
4038 annually, submit a report to the authority and the General Assembly  
4039 indicating (1) the number of customers in each of the following  
4040 categories and the total delinquent balances for such customers as of  
4041 the preceding May first: (A) Customers who are hardship cases and (i)  
4042 who made arrangements for reasonable amortization agreements, (ii)  
4043 who did not make such arrangements, and (B) customers who are  
4044 nonhardship cases and who made arrangements for reasonable  
4045 amortization, (2) (A) the number of heating customers receiving  
4046 energy assistance during the preceding heating season and the total  
4047 amount of such assistance, and (B) the total balance of the accounts of  
4048 such customers after all energy assistance is applied to the accounts,  
4049 (3) the number of hardship cases reinstated between November first of  
4050 the preceding year and May first of the same year, the number of  
4051 hardship cases terminated between May first of the same year and  
4052 November first and the number of hardship cases reinstated during  
4053 each month from May to November, inclusive, of the same year, (4) the  
4054 number of reasonable amortization agreements executed and the  
4055 number breached during the same year by (A) hardship cases, and (B)  
4056 nonhardship cases, and (5) the number of accounts of (A) hardship  
4057 cases, and (B) nonhardship cases for which part or all of the  
4058 outstanding balance is written off as uncollectible during the  
4059 preceding year and the total amount of such uncollectibles.

4060 (d) Nothing in this section shall (1) prohibit a public service  
4061 company, electric supplier or municipal utility from terminating  
4062 residential utility service upon request of the customer or in  
4063 accordance with section 16-262d, as amended by this act, upon default

4064 by the customer on an amortization agreement or collecting delinquent  
4065 accounts through legal processes, including the processes authorized  
4066 by section 16-262f, as amended by this act, or (2) relieve such company,  
4067 electric supplier or municipal utility of its responsibilities set forth in  
4068 sections 16-262d, as amended by this act, and 16-262e, as amended by  
4069 this act, to occupants of residential dwellings or, with respect to a  
4070 public service company or electric supplier, the responsibilities set  
4071 forth in section 19a-109.

4072 (e) No provision of the Freedom of Information Act, as defined in  
4073 section 1-200, shall be construed to require or permit a municipal  
4074 utility furnishing electric, gas or water service, a municipality  
4075 furnishing water or sewer service, a district established by special act  
4076 or pursuant to chapter 105 and furnishing water or sewer service or a  
4077 regional authority established by special act to furnish water or sewer  
4078 service to disclose records under the Freedom of Information Act, as  
4079 defined in section 1-200, which identify or could lead to identification  
4080 of the utility usage or billing information of individual customers, to  
4081 the extent such disclosure would constitute an invasion of privacy.  
4082 Nothing in this section prohibits the disclosure of delinquencies or  
4083 enforcement actions.

4084 (f) If an electric supplier suffers a loss of revenue by operation of  
4085 this section, the supplier may make a claim for such revenue to the  
4086 authority. The electric distribution company shall reimburse the  
4087 electric supplier for such losses found to be reasonable by the authority  
4088 at the lower of (1) the price of the contract between the supplier and  
4089 the customer, or (2) the electric distribution company's price to  
4090 customers for default service, as determined by the authority. The  
4091 electric distribution company may recover such reimbursement, along  
4092 with transaction costs, through the systems benefits charge.

4093 Sec. 101. Subsection (a) of section 16-262d of the general statutes is  
4094 repealed and the following is substituted in lieu thereof (*Effective from*  
4095 *passage*):

4096 (a) No [electric,] electric distribution, gas, telephone or water  
4097 company, no electric supplier and no municipal utility furnishing  
4098 electric, gas or water service may terminate such service to a  
4099 residential dwelling on account of nonpayment of a delinquent  
4100 account unless such company, electric supplier or municipal utility  
4101 first gives notice of such delinquency and impending termination by  
4102 first class mail addressed to the customer to which such service is  
4103 billed, at least thirteen calendar days prior to the proposed  
4104 termination, except that if an [electric,] electric distribution or gas  
4105 company, electric supplier or municipal utility furnishing electric or  
4106 gas service has issued a notice under this subsection but has not  
4107 terminated service prior to issuing a new bill to the customer, such  
4108 company, electric supplier or municipal utility may terminate such  
4109 service only after mailing the customer an additional notice of the  
4110 impending termination, addressed to the customer to which such  
4111 service is billed either (1) by first class mail at least thirteen calendar  
4112 days prior to the proposed termination, or (2) by certified mail, at least  
4113 seven calendar days prior to the proposed termination. In the event  
4114 that multiple dates of proposed termination are provided to a  
4115 customer, no such company, electric supplier or municipal utility shall  
4116 terminate service prior to the latest of such dates. For purposes of this  
4117 subsection, the thirteen-day periods and seven-day period shall  
4118 commence on the date such notice is mailed. If such company, electric  
4119 supplier or municipal utility does not terminate service within one  
4120 hundred twenty days after mailing the initial notice of termination,  
4121 such company, electric supplier or municipal utility shall give the  
4122 customer a new notice at least thirteen days prior to termination. Every  
4123 termination notice issued by a public service company, electric  
4124 supplier or municipal utility shall contain or be accompanied by an  
4125 explanation of the rights of the customer provided in subsection (c) of  
4126 this section.

4127 Sec. 102. Subsection (a) of section 16-262e of the 2014 supplement to  
4128 the general statutes is repealed and the following is substituted in lieu  
4129 thereof (*Effective from passage*):

4130 (a) Notwithstanding the provisions of section 16-262d, as amended  
4131 by this act, wherever an owner, agent, lessor or manager of a  
4132 residential dwelling is billed directly by an [electric,] electric  
4133 distribution, gas, telephone or water company or by a municipal utility  
4134 for utility service furnished to such building not occupied exclusively  
4135 by such owner, agent, lessor, or manager, and such company or  
4136 municipal utility or the electric supplier providing electric generation  
4137 services has actual or constructive knowledge that the occupants of  
4138 such dwelling are not the individuals to whom the company or  
4139 municipal utility usually sends its bills, such company, electric  
4140 supplier or municipal utility shall not terminate such service for  
4141 nonpayment of a delinquent account owed to such company, electric  
4142 supplier or municipal utility by such owner, agent, lessor or manager  
4143 unless: (1) Such company, electric supplier or municipal utility makes  
4144 a good faith effort to notify the occupants of such building of the  
4145 proposed termination by the means most practicable under the  
4146 circumstances and best designed to provide actual notice; and (2) such  
4147 company, electric supplier or municipal utility provides an  
4148 opportunity, where practicable, for such occupants to receive service in  
4149 their own names without any liability for the amount due while  
4150 service was billed directly to the lessor, owner, agent or manager and  
4151 without the necessity for a security deposit; provided, if it is not  
4152 practicable for such occupants to receive service in their own names,  
4153 the company, electric supplier or municipal utility shall not terminate  
4154 service to such residential dwelling but may pursue the remedy  
4155 provided in sections 16-262f, as amended by this act, and 16-262t.

4156 Sec. 103. Subsection (a) of section 16-262f of the 2014 supplement to  
4157 the general statutes is repealed and the following is substituted in lieu  
4158 thereof (*Effective from passage*):

4159 (a) (1) Upon default of the owner, agent, lessor or manager of a  
4160 residential dwelling who is billed directly by an [electric,] electric  
4161 distribution, gas or telephone company or by a municipal utility for  
4162 electric or gas utility service furnished to such building, such company  
4163 or municipal utility or electric supplier providing electric generation

4164 services may petition the Superior Court or a judge thereof, for  
4165 appointment of a receiver of the rents or payments for use and  
4166 occupancy or common expenses, as defined in section 47-202, for any  
4167 dwelling for which the owner, agent, lessor or manager is in default.  
4168 The court or judge shall forthwith issue an order to show cause why a  
4169 receiver should not be appointed, which shall be served upon the  
4170 owner, agent, lessor or manager or his agent in a manner most  
4171 reasonably calculated to give notice to such owner, agent, lessor or  
4172 manager as determined by such court or judge, including, but not  
4173 limited to, a posting of such order on the premises in question.

4174 (2) A hearing shall be had on such order no later than seventy-two  
4175 hours after its issuance or the first court day thereafter. The sole  
4176 purpose of such a hearing shall be to determine whether there is an  
4177 amount due and owing between the owner, agent, lessor or manager  
4178 and the company, electric supplier or municipal utility. The court shall  
4179 make a determination of any amount due and owing and any amount  
4180 so determined shall constitute a lien upon the real property of such  
4181 owner. A certificate of such amount may be recorded in the land  
4182 records of the town in which such property is located describing the  
4183 amount of the lien and the name of the party in default. When the  
4184 amount due and owing has been paid the company, electric supplier  
4185 or municipality shall issue a certificate discharging the lien and shall  
4186 file the certificate in the land records of the town in which such lien  
4187 was recorded.

4188 (3) The receiver appointed by the court shall collect all rents or  
4189 payments for use and occupancy or common expenses forthcoming  
4190 from or paid on behalf of the occupants or residents of the building or  
4191 facility in question in place of the owner, agent, lessor, manager or  
4192 administrator. The receiver may also petition the court to obtain any  
4193 remedy available under chapter 906 against such owner, agent, lessor  
4194 or manager in order to recover amounts due as determined under  
4195 subdivision (2) of this subsection and continuing charges for such  
4196 utility service until all such charges and other costs have been paid.

4197 (4) The receiver shall pay the petitioner or other supplier, from such  
4198 rents or payments for use and occupancy or common expenses for  
4199 electric, gas, telephone, water or heating oil supplied on and after the  
4200 date of his appointment. The owner, agent, lessor or manager shall be  
4201 liable for such reasonable fees and costs determined by the court to be  
4202 due the receiver, which fees and costs may be recovered from the rents  
4203 or payments for use and occupancy under the control of the receiver,  
4204 provided no such fees or costs shall be recovered until after payment  
4205 for current electric, gas, telephone and water service and heating oil  
4206 deliveries has been made. The owner, agent, lessor or manager shall be  
4207 liable to the petitioner for reasonable attorney's fees and costs incurred  
4208 by the petitioner, provided no such fees or costs shall be recovered  
4209 until after payment for current electric, gas, telephone and water  
4210 service and heating oil deliveries has been made and after payments of  
4211 reasonable fees and costs to the receiver. Any moneys from rental  
4212 payments or payments for use and occupancy or common expenses  
4213 remaining after payment for current electric, gas, telephone and water  
4214 service or heating oil deliveries, and after payment for reasonable costs  
4215 and fees to the receiver, and after payment to the petitioner for  
4216 reasonable attorney's fees and costs, shall be applied to any arrearage  
4217 found by the court to be due and owing the company, electric supplier  
4218 or municipal utility from the owner, agent, lessor or manager for  
4219 service provided such building. Any moneys remaining thereafter  
4220 shall be turned over to the owner, agent, lessor or manager. The court  
4221 may order an accounting to be made at such times as it determines to  
4222 be just, reasonable, and necessary.

4223 Sec. 104. Subsection (b) of section 16-262i of the general statutes is  
4224 repealed and the following is substituted in lieu thereof (*Effective from*  
4225 *passage*):

4226 (b) The authority may adopt regulations, in accordance with the  
4227 provisions of chapter 54, setting forth the terms and conditions under  
4228 which [electric,] electric distribution, gas, telephone and water  
4229 companies, electric suppliers, certified telecommunications providers  
4230 and municipal utilities furnishing electric, gas or water service may be

4231 prohibited from terminating service to a residential dwelling on  
4232 account of nonpayment of a delinquent account in the name of the  
4233 former spouse or spouse of the individual who occupies the dwelling,  
4234 if the marriage of such individuals has been dissolved or annulled or  
4235 such individuals are legally separated or have an action for dissolution  
4236 or annulment of a marriage or for legal separation pending, pursuant  
4237 to chapter 815j.

4238 Sec. 105. Section 16a-37f of the general statutes is repealed and the  
4239 following is substituted in lieu thereof (*Effective from passage*):

4240 A budgeted agency, as defined in section 4-69, shall only purchase  
4241 replacement light bulbs which (1) are provided under an electric  
4242 distribution company's customer lighting efficiency program, (2) are  
4243 equivalent in energy efficiency to bulbs provided under such electric  
4244 distribution company lighting efficiency program, as determined by  
4245 the Commissioner of Energy and Environmental Protection, in  
4246 consultation with the Commissioner of Administrative Services, or (3)  
4247 meet such other life-cycle cost analysis standards as the Commissioner  
4248 of Energy and Environmental Protection, with the concurrence of the  
4249 Commissioner of Administrative Services, may designate.

4250 Sec. 106. Subsections (e) and (f) of section 16a-40b of the 2014  
4251 supplement to the general statutes are repealed and the following is  
4252 substituted in lieu thereof (*Effective from passage*):

4253 (e) The commissioner shall adopt regulations in accordance with  
4254 chapter 54, (1) concerning qualifications for such loans or deferred  
4255 loans, requirements and limitations as to adjustments of terms and  
4256 conditions of repayment and any additional requirements deemed  
4257 necessary to carry out the provisions of this section and to assure that  
4258 those tax-exempt bonds and notes used to fund such loans or deferred  
4259 loans qualify for exemption from federal income taxation, (2)  
4260 providing for the maximum feasible availability of such loans or  
4261 deferred loans for dwelling units owned or occupied by persons of low  
4262 and moderate income, (3) establishing procedures to inform such

4263 persons of the availability of such loans or deferred loans and to  
4264 encourage and assist them to apply for such loans or deferred loans,  
4265 and (4) providing that (A) the interest payments received from the  
4266 recipients of loans or deferred loans made on and after July 1, 1982,  
4267 less the expenses incurred by the commissioner in the implementation  
4268 of the program of loans, deferred loans and loan guarantees under this  
4269 section, and (B) the payments received from electric distribution and  
4270 gas companies under subsection (f) of this section shall be applied to  
4271 reimburse the General Fund for interest on the outstanding bonds and  
4272 notes used to fund such loans or deferred loans made on or after July  
4273 1, 1982.

4274 (f) Not later than August first, annually, the commissioner shall  
4275 calculate the difference between (1) the weighted average of the  
4276 percentage rates of interest payable on all subsidized loans made (A)  
4277 after July 1, 1982, from the Energy Conservation Loan Fund, and (B)  
4278 from the Housing Repayment and Revolving Loan Fund pursuant to  
4279 this section, and (2) the average of the percentage rates of interest on  
4280 any bonds and notes issued pursuant to section 3-20, which have been  
4281 dedicated to the energy conservation loan program and used to fund  
4282 such loans, and multiply such difference by the outstanding amount of  
4283 all such loans, or such lesser amount as may be required under Section  
4284 103(c) of the Internal Revenue Code of 1986, or any subsequent  
4285 corresponding internal revenue code of the United States, as from time  
4286 to time amended. The product of such difference and such applicable  
4287 amount shall not exceed six per cent of the sum of the outstanding  
4288 principal amount at the end of each fiscal year of all loans or deferred  
4289 loans made (A) on or after July 1, 1982, from the Energy Conservation  
4290 Loan Fund, and (B) from the Housing Repayment and Revolving Loan  
4291 Fund pursuant to this section, and the balance remaining in the Energy  
4292 Conservation Loan Fund and the balance of energy conservation loan  
4293 repayments in the Housing Repayment and Revolving Loan Fund. Not  
4294 later than September first, annually, the Public Utilities Regulatory  
4295 Authority shall allocate such product among each electric distribution  
4296 and gas company having at least seventy-five thousand customers, in

4297 accordance with a formula taking into account, without limitation, the  
4298 average number of residential customers of each company. Not later  
4299 than October first, annually, each such company shall pay its assessed  
4300 amount to the commissioner. The commissioner shall pay to the State  
4301 Treasurer for deposit in the General Fund all such payments from  
4302 electric distribution and gas companies, and shall adopt procedures to  
4303 assure that such payments are not used for purposes other than those  
4304 specifically provided in this section. The authority shall include each  
4305 company's payment as an operating expense of the company for the  
4306 purposes of rate-making under section 16-19, as amended by this act.

4307 Sec. 107. Section 16a-41h of the general statutes is repealed and the  
4308 following is substituted in lieu thereof (*Effective from passage*):

4309 (a) (1) Each electric distribution company, gas company and  
4310 municipal utility furnishing electric or gas service, shall include in its  
4311 monthly bills a request to each customer to add a donation in an  
4312 amount designated by the customer to the bill payment. Such  
4313 company shall provide to all of its customers the opportunity to  
4314 donate one dollar, two dollars, three dollars or another amount on  
4315 each bill provided to a customer either through the mail or  
4316 electronically. Such designation shall be made available and included  
4317 where customers are either electronically billed or bill payment is  
4318 handled electronically. The opportunity to donate one dollar, two  
4319 dollars, three dollars or another amount shall be included on the bill in  
4320 such a way that facilitates such donations.

4321 (2) Operation Fuel, Incorporated, shall provide fundraising inserts  
4322 and remittance envelopes to retail dealers of fuel oil that volunteer to  
4323 include the inserts and envelopes in their customers' bills for one or  
4324 more billing cycles each year. Such retail dealers of fuel oil shall inform  
4325 Operation Fuel, Incorporated, as to the number of inserts and  
4326 envelopes needed to conduct such a mailing.

4327 (3) Each electric distribution, gas or fuel oil company shall transmit  
4328 all such donations received each month, as well as their own

4329 contributions, if any, to Operation Fuel, Incorporated, a state-wide  
4330 nonprofit organization designed to respond to people within the state  
4331 who are in financial crisis and need emergency energy assistance.  
4332 Operation Fuel, Incorporated shall distribute donations to nonprofit  
4333 social services agencies and private fuel banks in accordance with  
4334 guidelines established by the board of directors of Operation Fuel,  
4335 Incorporated, provided such funds shall be distributed on a priority  
4336 basis to low-income elderly and working poor households that are not  
4337 eligible for public assistance or state-administered general assistance  
4338 but are faced with a financial crisis and are unable to make timely  
4339 payments on winter fuel, electricity or gas bills. Such companies shall  
4340 coordinate their promotions of this program, holding promotions  
4341 during the same month and using similar formats.

4342 (b) If Operation Fuel, Inc. ceases to exist, such electric distribution  
4343 and gas companies shall jointly establish a nonprofit, tax-exempt  
4344 corporation for the purpose of holding in trust and distributing such  
4345 customer donations. The board of directors of such corporation shall  
4346 consist of eleven members appointed as follows: Four by the  
4347 companies, each of which shall appoint one member; one by the  
4348 president pro tempore of the Senate; one by the minority leader of the  
4349 Senate; one by the speaker of the House of Representatives; one by the  
4350 minority leader of the House of Representatives; and three by the  
4351 Governor. The board shall distribute such funds to nonprofit  
4352 organizations and social service agencies which provide emergency  
4353 energy or fuel assistance. The board shall target available funding on a  
4354 priority basis to low-income elderly and working poor households  
4355 which are not eligible for public assistance or state-administered  
4356 general assistance but are faced with a financial crisis and are unable to  
4357 make timely payments on winter fuel, electricity or gas bills.

4358 (c) Not later than the first of September annually, Operation Fuel,  
4359 Inc. shall submit to the General Assembly a report on the  
4360 implementation of this section. Such report shall include, (1) a  
4361 summary of the effectiveness of the program, (2) the total amount of  
4362 the donations received by electric distribution and gas companies and

4363 transmitted to Operation Fuel, Inc. under subsection (b) of this section,  
4364 and (3) an accounting of the distribution of such funds by Operation  
4365 Fuel, Inc. indicating the organizations and agencies receiving funds,  
4366 the amounts received and distributed by each such organization and  
4367 agency and the number of households each assisted. On and after  
4368 October 1, 1996, the report shall be submitted to the joint standing  
4369 committee of the General Assembly having cognizance of matters  
4370 relating to energy and, upon request, to any member of the General  
4371 Assembly. A summary of the report shall be submitted to each  
4372 member of the General Assembly if the summary is two pages or less  
4373 and a notification of the report shall be submitted to each member if  
4374 the summary is more than two pages. Submission shall be by mailing  
4375 the report, summary or notification to the legislative address of each  
4376 member of the committee or the General Assembly, as applicable.

4377 Sec. 108. Section 22a-66k of the general statutes is repealed and the  
4378 following is substituted in lieu thereof (*Effective from passage*):

4379 (a) Each electric distribution company, as defined in section 16-1, as  
4380 amended by this act, shall submit a utilities pesticide management  
4381 plan to the Commissioner of Energy and Environmental Protection for  
4382 approval with the concurrence of the Public Utilities Regulatory  
4383 Authority. A plan shall be revised at such time as the electric  
4384 distribution company filing the plan or the commissioner determines  
4385 provided such plan shall be revised not less than once every five years.

4386 (b) Any electric distribution company, as defined in section 16-1, as  
4387 amended by this act, telephone company, as defined in section 16-1, as  
4388 amended by this act, or telecommunications company, as defined in  
4389 section 16-1, as amended by this act, which provides for the  
4390 application of a pesticide within a right-of-way maintained by such  
4391 company shall ensure that owners, occupants or tenants of buildings  
4392 or dwellings that are located on property which abuts such right-of-  
4393 way, or property within which such right-of-way lies, are notified at  
4394 least forty-eight hours prior to the application. Notice may be made by  
4395 any method, including telephone, mail or personal notification. Any

4396 such company which provides for the application of pesticides in  
4397 connection with removal of trees or brush from private property shall  
4398 obtain the consent of the owner, occupant or tenant of such property  
4399 prior to the application. Notwithstanding the provisions of section 23-  
4400 65, any such company which provides for the application of pesticides  
4401 to any utility pole, after it has been installed, for purposes of  
4402 maintaining, preserving or extending the useful life of the pole shall  
4403 post notice of such application on each such pole.

4404 (c) The commissioner shall adopt regulations in accordance with the  
4405 provisions of chapter 54 setting forth the contents of a pesticide  
4406 management plan. Such regulations shall include provisions for the  
4407 on-site posting of a notice of a pesticide application. A notice required  
4408 by such regulations may be posted at the time of or after the  
4409 application, provided the time of such posting shall be sufficient to  
4410 protect persons engaged in a lawful public recreational use of any  
4411 unimproved real property in which such application is made.

4412 Sec. 109. Section 29-317 of the general statutes, as amended by  
4413 section 7 of public act 09-177, sections 1 and 6 of public act 10-54,  
4414 section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is  
4415 repealed and the following is substituted in lieu thereof (*Effective*  
4416 *January 1, 2015*):

4417 (a) The Commissioner of Administrative Services shall adopt  
4418 regulations, in accordance with the provisions of chapter 54,  
4419 prescribing reasonable minimum requirements for the installation of  
4420 oil burners and equipment used in connection therewith, including  
4421 tanks, piping, pumps, control devices and accessories. Such  
4422 regulations shall be incorporated into the State Fire Prevention Code  
4423 and shall include provisions for the prevention of injury to life and  
4424 damage to property, and protection from hazards incident to the  
4425 installation and operation of such oil burners and equipment.

4426 (b) No regulation made in accordance with this section shall apply  
4427 to any [electric company,] gas company or electric distribution

4428 company, as such terms are defined in section 16-1, as amended by this  
4429 act.

4430 Sec. 110. Section 29-320 of the general statutes is repealed and the  
4431 following is substituted in lieu thereof (*Effective from passage*):

4432 The Commissioner of Administrative Services shall make and  
4433 enforce, and may amend, reasonable regulations concerning the safe  
4434 storage, use, transportation by any mode and transmission by pipeline  
4435 of flammable or combustible liquids. In adopting such regulations,  
4436 said commissioner may adopt by reference standards concerning  
4437 flammable or combustible liquids as set forth by the National Fire  
4438 Protection Association for the prevention of damage to property and  
4439 injury to life, and protection from hazards incident to the storage, use,  
4440 transportation by any mode and transmission by pipeline of such  
4441 liquids. Such regulations shall not apply to [electric,] electric  
4442 distribution and gas companies, as defined in section 16-1, as amended  
4443 by this act.

4444 Sec. 111. Section 29-230 of the general statutes, as amended by  
4445 section 8 of public act 09-177, sections 2 and 6 of public act 10-54,  
4446 section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is  
4447 repealed and the following is substituted in lieu thereof (*Effective*  
4448 *January 1, 2015*):

4449 The Commissioner of Administrative Services shall adopt and may  
4450 amend, reasonable regulations in accordance with the provisions of  
4451 chapter 54, concerning the safe storage, use, transportation by any  
4452 mode and transmission by pipeline of flammable or combustible  
4453 liquids. Such regulations shall be incorporated into the State Fire  
4454 Prevention Code and shall include provisions for the prevention of  
4455 damage to property and injury to life, and protection from hazards  
4456 incident to the storage, use, transportation by any mode and  
4457 transmission by pipeline of such liquids. The commissioner shall  
4458 enforce such regulations. Such regulations shall not apply to any  
4459 [electric company,] electric distribution company or gas company, as

4460 such terms are defined in section 16-1, as amended by this act.

4461 Sec. 112. Section 29-329 of the general statutes, as amended by  
4462 section 12 of public act 09-177, section 6 of public act 10-54 and sections  
4463 3 and 4 of public act 12-60, is repealed and the following is substituted  
4464 in lieu thereof (*Effective January 1, 2015*):

4465 (a) The State Fire Marshal shall adopt regulations, in accordance  
4466 with the provisions of chapter 54, prescribing reasonable minimum  
4467 requirements for the installation and operation of gas equipment and  
4468 gas piping. Such regulations shall be incorporated into the State Fire  
4469 Prevention Code and shall include provisions for the prevention of  
4470 injury to life and damage to property and protection from hazards  
4471 incident to the installation and operation of such gas equipment and  
4472 piping.

4473 (b) No regulation adopted in accordance with this section shall  
4474 apply to any [electric company,] gas company or electric distribution  
4475 company, as such terms are defined in section 16-1, as amended by this  
4476 act.

4477 Sec. 113. Section 29-331 of the general statutes is repealed and the  
4478 following is substituted in lieu thereof (*Effective from passage*):

4479 The Commissioner of Administrative Services shall make  
4480 reasonable regulations concerning the safe storage, use, transportation  
4481 by any mode and transmission by pipeline of liquefied petroleum gas.  
4482 Regulations concerning safe storage shall specify standards to ensure  
4483 maximum security against unauthorized entry into storage areas  
4484 where liquefied petroleum gas or liquefied natural gas is stored. In  
4485 adopting such regulations, said commissioner may adopt by reference  
4486 standards concerning liquefied petroleum gas as set forth by the  
4487 National Fire Protection Association for the prevention of damage to  
4488 property and injury to life, and protection from hazards incident to the  
4489 storage, use, transportation by any mode and transmission by pipeline  
4490 of such gas, with particular reference to the design, construction,  
4491 location and operation of liquefied petroleum gas installations. Such

4492 regulations shall not apply to [electric,] electric distribution and gas  
4493 companies, as defined in section 16-1, as amended by this act.

4494 Sec. 114. Section 29-331 of the general statutes, as amended by  
4495 section 14 of public act 09-177, section 6 of public act 10-54, section 90  
4496 of public act 11-51 and sections 3 and 4 of public act 12-60, is repealed  
4497 and the following is substituted in lieu thereof (*Effective January 1,*  
4498 *2015*):

4499 The Commissioner of Administrative Services shall adopt  
4500 reasonable regulations, in accordance with the provisions of chapter  
4501 54, concerning the safe storage, use, transportation by any mode and  
4502 transmission by pipeline of liquefied petroleum gas. Regulations  
4503 concerning safe storage shall specify standards to ensure maximum  
4504 security against unauthorized entry into storage areas where liquefied  
4505 petroleum gas or liquefied natural gas is stored. Such regulations shall  
4506 be incorporated into the State Fire Prevention Code and shall include  
4507 provisions for the prevention of damage to property and injury to life,  
4508 and protection from hazards incident to the storage, use,  
4509 transportation by any mode and transmission by pipeline of such gas,  
4510 with particular reference to the design, construction, location and  
4511 operation of liquefied petroleum gas installations. Such regulations  
4512 shall not apply to any [electric company,] electric distribution  
4513 company or gas company, as such terms are defined in section 16-1, as  
4514 amended by this act.

4515 Sec. 115. Section 33-221 of the general statutes is repealed and the  
4516 following is substituted in lieu thereof (*Effective from passage*):

4517 A cooperative shall have power, subject to the limitations of section  
4518 33-219: (a) To sue and be sued in its corporate name; (b) to have  
4519 perpetual existence; (c) to adopt a corporate seal and alter the same; (d)  
4520 to generate, manufacture, purchase, acquire, accumulate and transmit  
4521 electric energy, and to distribute, sell, supply and dispose of electric  
4522 energy to its members, and to other persons not in excess of ten per  
4523 cent of the number of its members pursuant to applicable federal law

4524 and regulations adopted thereunder, provided the furnishing by a  
4525 cooperative of electric cold storage or processing plant service shall not  
4526 be deemed to be distributing, selling, supplying or disposing of electric  
4527 energy; (e) to assist persons to whom electric energy is or will be  
4528 supplied by the cooperative in wiring their premises and in acquiring  
4529 and installing electrical appliances, equipment, fixtures, apparatus and  
4530 energy conservation and renewable energy systems and equipment, by  
4531 the financing thereof or otherwise, and, in connection therewith, to  
4532 wire, or cause to be wired, such premises and to purchase, acquire,  
4533 lease as lessor or lessee, sell, distribute, install and repair such electric  
4534 appliances, equipment, fixtures, apparatus and energy conservation  
4535 and renewable energy systems and equipment; (f) to assist persons to  
4536 whom electric energy is or will be supplied by the cooperative in  
4537 constructing, equipping, maintaining and operating electric cold  
4538 storage or processing plants, by the financing thereof or otherwise; (g)  
4539 to construct, purchase, lease as lessee, or otherwise acquire, and to  
4540 equip, maintain and operate, and to sell, assign, convey, lease as lessor,  
4541 mortgage, pledge or otherwise dispose of or encumber, electric  
4542 transmission and distribution lines or systems, electric generating  
4543 plants, electric cold storage or processing plants, lands, buildings,  
4544 structures, dams, plants and equipment, and any other real property or  
4545 tangible or intangible personal property which shall be deemed  
4546 necessary, convenient or appropriate to accomplish the purpose stated  
4547 in section 33-219; (h) to borrow money and otherwise contract  
4548 indebtedness, and to issue notes, bonds and other evidences of  
4549 indebtedness, and to secure the payment thereof by mortgage, pledge  
4550 or deed of trust of, or any other encumbrance upon, any or all of its  
4551 then owned or after-acquired real or personal property, assets,  
4552 franchises, revenues or income; (i) to construct, maintain and operate  
4553 electric transmission and distribution lines along, upon, under and  
4554 across publicly owned lands and public thoroughfares, including,  
4555 without limitation, all roads, highways, streets, alleys, bridges and  
4556 causeways, subject to the provisions of all laws regulating the use of  
4557 highways by electric distribution companies, provided no standards in  
4558 excess of standards provided in the National Electric Safety Code shall

4559 be required; (j) to exercise the power of eminent domain in the manner  
4560 provided by the general statutes for the exercise of such power by  
4561 other corporations constructing or operating electric transmission and  
4562 distribution lines or systems; (k) to petition the Public Utilities  
4563 Regulatory Authority to issue an order under section 16-243c, as  
4564 amended by this act; (l) to conduct its business and exercise its powers  
4565 within or without this state; (m) to adopt, amend and repeal bylaws;  
4566 and (n) to do and perform any other acts and things, and to have and  
4567 exercise any other powers, which may be necessary, convenient or  
4568 appropriate to accomplish the purpose for which the cooperative is  
4569 organized.

4570 Sec. 116. Subdivision (13) of subsection (a) of section 36a-250 of the  
4571 general statutes is repealed and the following is substituted in lieu  
4572 thereof (*Effective from passage*):

4573 (13) Act as agent (A) in the collection of taxes for any qualified  
4574 treasurer of any taxing district or qualified collector of taxes, or (B) for  
4575 any [electric,] electric distribution, gas, water or telephone company  
4576 operating within this state in receiving moneys due that company for  
4577 utility services furnished by it;

4578 Sec. 117. Subdivision (14) of subsection (a) of section 36a-455a of the  
4579 general statutes is repealed and the following is substituted in lieu  
4580 thereof (*Effective from passage*):

4581 (14) Act as agent (A) in the collection of taxes for any qualified  
4582 treasurer of any taxing district or qualified collector of taxes, or (B) for  
4583 any [electric,] electric distribution, gas, water or telephone company  
4584 operating within this state in receiving moneys due such company for  
4585 utility services furnished by it;

4586 Sec. 118. Section 49-4c of the general statutes is repealed and the  
4587 following is substituted in lieu thereof (*Effective from passage*):

4588 Any mortgage entered into subsequent to July 1, 1986, between a  
4589 private power producer, as defined in section 16-243b, or the owner or

4590 operator of a qualifying facility, as defined in Part 292 of Title 18 of the  
4591 Code of Federal Regulations, or a guarantor of any of their respective  
4592 obligations, as mortgagor, and an electric distribution company, as  
4593 defined in section 16-1, as amended by this act, as mortgagee, shall be  
4594 valid to secure all obligations then existing or thereafter arising of the  
4595 mortgagor to the mortgagee under an electricity purchase agreement,  
4596 including, without limitation, recovery of amounts paid to the private  
4597 power producer or the owner or operator of a qualifying facility by the  
4598 mortgagee in excess of the mortgagee's avoided costs as defined in  
4599 section 16-243a, as amended by this act, and all other damages for  
4600 failure to deliver electric energy or capacity or other breach of an  
4601 electricity purchase agreement, including, without limitation, the net  
4602 replacement cost of the capacity being secured by such mortgage,  
4603 together with accrued interest, if any, as computed in accordance with  
4604 the terms of the electricity purchase agreement or the mortgage, and  
4605 under a guarantee of such obligations or obligations created by the  
4606 mortgage, and shall have priority over the rights of others who shall  
4607 acquire any rights in the property covered by such mortgage  
4608 subsequent to the recording of the mortgage in the land records of the  
4609 town in which the mortgaged property is situated provided: (1) The  
4610 electricity purchase agreement is substantially in the form approved by  
4611 the Public Utilities Regulatory Authority pursuant to section 16-243a,  
4612 as amended by this act, and shall have been entered into by the  
4613 mortgagor and mortgagee prior to or simultaneously with or  
4614 subsequent to the execution and delivery of the mortgage, (2) the  
4615 caption to the mortgage shall contain the words "Open-End Mortgage"  
4616 and "Electricity Purchase Agreement", (3) the mortgage shall state that  
4617 it is entered into to secure the mortgagor's obligations to the mortgagee  
4618 under an electricity purchase agreement or under a guarantee of any  
4619 electricity purchase agreement obligations and shall recite either the  
4620 address of an office of the mortgagee or its assignee in the state at  
4621 which a copy of the electricity purchase agreement is on file and may  
4622 be inspected by the public during normal business hours or that the  
4623 electricity purchase agreement has been recorded, as an exhibit to the  
4624 mortgage or otherwise, on or before the date the mortgage is recorded,

4625 in the land records of the town in which the mortgaged property is  
4626 situated, provided the electricity purchase agreement shall be so  
4627 recorded, (4) the amount of the obligation from time to time secured by  
4628 the mortgage may be determined or reasonably approximated on the  
4629 basis of records maintained by the mortgagee or its assignee in the  
4630 state, which records and an estimate of the amount claimed by the  
4631 mortgagee to be secured are made available to the public with  
4632 reasonable promptness upon written request, and (5) the mortgage  
4633 states the maximum amount which it shall secure. Nothing in this  
4634 section shall invalidate any mortgage which would be valid without  
4635 this section. For purposes of this section, "electricity purchase  
4636 agreement" means a contract or agreement to purchase and sell electric  
4637 energy or capacity by and between a private power producer, as  
4638 defined in section 16-243b, or the owner or operator of a qualifying  
4639 facility, as defined in Part 292 of Title 18 of the Code of Federal  
4640 Regulations, and an electric distribution company, as defined in  
4641 section 16-1, as amended by this act.

4642 Sec. 119. Section 52-287 of the general statutes is repealed and the  
4643 following is substituted in lieu thereof (*Effective from passage*):

4644 The fixtures of every [telegraph,] telephone or electric [light or  
4645 power] distribution company, or association engaged in distributing  
4646 electricity by wires or similar conductors, including its wires, posts,  
4647 crossbars, lamps, switchboards, piers and abutments, may be attached  
4648 in the same manner and with the same legal effect as real estate in civil  
4649 actions, by the officer lodging in the office of the Secretary of the State  
4650 a certificate that he has made such attachment, which shall be  
4651 endorsed by said secretary with a note of the precise time of its  
4652 reception, and kept on file, open to public inspection, in said office.  
4653 Such attachment, if completed as hereinafter provided, shall be  
4654 considered as made when such certificate is so lodged. The certificate  
4655 shall be signed by such officer, shall describe the termini of the line or  
4656 lines and the location of the switchboards attached, with reasonable  
4657 certainty, and shall specify the parties to the suit, the court to which  
4658 the process is returnable and the amount of damages claimed; and

4659 such officer shall, within four days thereafter, leave in the office of said  
4660 secretary a certified copy of the process under which the attachment  
4661 was made, with an endorsement of his doings thereon; and unless the  
4662 service is so completed, the property shall not be held against any  
4663 other creditor or bona fide purchaser.

4664 Sec. 120. Subsection (k) of section 16-243m of the 2014 supplement to  
4665 the general statutes is repealed and the following is substituted in lieu  
4666 thereof (*Effective from passage*):

4667 (k) The authority may order an electric distribution company to  
4668 submit a proposal pursuant to the provisions of this section and may  
4669 approve such a proposal under this section. Nothing in sections 16-1,  
4670 as amended by this act, 16-32f, 16-50i, as amended by this act, 16-50k,  
4671 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by this act,  
4672 [16-244e,] 16-245d, 16-245m, as amended by this act, 16-245n, as  
4673 amended by this act, and 16-245z and section 21 of public act 05-1 of  
4674 the June special session shall limit the authority's ability to conduct  
4675 requests for proposals, in addition to that in subsection (c) of this  
4676 section, to reduce federally mandated congestion charges and to  
4677 approve such proposals or otherwise to meet its responsibility under  
4678 this title.

4679 Sec. 121. Subsection (a) of section 16-243p of the 2014 supplement to  
4680 the general statutes is repealed and the following is substituted in lieu  
4681 thereof (*Effective from passage*):

4682 (a) An electric distribution company may recover its costs and  
4683 investments that have been prudently incurred as well as its revenues  
4684 lost resulting from the provisions of sections 16-1, as amended by this  
4685 act, 16-19ff, as amended by this act, 16-50k, 16-50x, 16-243h to 16-243q,  
4686 inclusive, 16-244c, as amended by this act, [16-244e,] 16-244u, as  
4687 amended by this act, 16-245d, 16-245m, as amended by this act, 16-  
4688 245n, as amended by this act, 16-245z and 16-262i, as amended by this  
4689 act, and section 21 of public act 05-1 of the June special session. The  
4690 Public Utilities Regulatory Authority shall, after a hearing held

4691 pursuant to the provisions of chapter 54, determine the appropriate  
4692 mechanism to obtain such recovery in a timely manner which  
4693 mechanism may be one or more of the following: (1) Approval of rates  
4694 as provided in sections 16-19, as amended by this act, and 16-19e, as  
4695 amended by this act; (2) the energy adjustment clause as provided in  
4696 section 16-19b, as amended by this act; or (3) the federally mandated  
4697 congestion charges, as defined in section 16-1, as amended by this act.

4698 Sec. 122. Section 16-243r of the 2014 supplement to the general  
4699 statutes is repealed and the following is substituted in lieu thereof  
4700 (*Effective from passage*):

4701 The provisions of sections 7-233y, 16-1, as amended by this act, 16-  
4702 32f, 16-50i, as amended by this act, 16-50k, 16-50x, 16-243i to 16-243q,  
4703 inclusive, 16-244c, as amended by this act, [16-244e,] 16-245d, 16-245m,  
4704 as amended by this act, 16-245n, as amended by this act, 16-245z and  
4705 16-262i, as amended by this act, and section 21 of public act 05-1 of the  
4706 June special session apply to new customer-side distributed resources  
4707 and grid-side distributed resources developed in this state that add  
4708 electric capacity on and after January 1, 2006, and shall also apply to  
4709 customer-side distributed resources and grid-side distributed  
4710 resources developed in this state before January 1, 2007, that (1) have  
4711 undergone upgrades that increase the resource's thermal efficiency  
4712 operating level by no fewer than ten percentage points or, for  
4713 resources that have a thermal efficiency level of at least seventy per  
4714 cent, have undergone upgrades that increase the resource's turbine  
4715 heat rate by no fewer than five percentage points and increase the  
4716 electrical output of the resource by no fewer than ten percentage  
4717 points, (2) operate at a thermal efficiency level of at least fifty per cent,  
4718 and (3) add electric capacity in this state on or after January 1, 2007,  
4719 provided such measure is in accordance with the provisions of said  
4720 sections 7-233y, 16-1, as amended by this act, 16-32f, 16-50i, as  
4721 amended by this act, 16-50k, 16-50x, 16-243i to 16-243q, inclusive, 16-  
4722 244c, as amended by this act, [16-244e,] 16-245d, 16-245m, as amended  
4723 by this act, 16-245n, as amended by this act, 16-245z and 16-262i, as  
4724 amended by this act, and section 21 of public act 05-1 of the June

4725 special session. On or before January 1, 2009, the Public Utilities  
4726 Regulatory Authority, in consultation with the Office of Consumer  
4727 Counsel, shall report to the joint standing committee of the General  
4728 Assembly having cognizance of matters relating to energy regarding  
4729 the cost-effectiveness of programs pursuant to this section.

4730 Sec. 123. Subsection (a) of section 16-244v of the 2014 supplement to  
4731 the general statutes is repealed and the following is substituted in lieu  
4732 thereof (*Effective from passage*):

4733 (a) [Notwithstanding subsection (a) of section 16-244e, an] An  
4734 electric distribution company, or owner or developer of generation  
4735 projects that emit no pollutants, may submit a proposal to the  
4736 Department of Energy and Environmental Protection to build, own or  
4737 operate one or more generation facilities up to an aggregate of thirty  
4738 megawatts using Class I renewable energy sources as defined in  
4739 section 16-1, as amended by this act, from July 1, 2011, to July 1, 2013.  
4740 Each facility shall be greater than one megawatt but not more than five  
4741 megawatts. Each electric distribution company may enter into joint  
4742 ownership agreements, partnerships or other agreements with private  
4743 developers to carry out the provisions of this section. The aggregate  
4744 ownership for an electric distribution company pursuant to this section  
4745 shall not exceed ten megawatts. The department shall evaluate such  
4746 proposals pursuant to sections 16-19, as amended by this act, and 16-  
4747 19e, as amended by this act, and may approve one or more of such  
4748 proposals if it finds that the proposal serves the long-term interest of  
4749 ratepayers. The department (1) shall not approve any proposal  
4750 supported in any form of cross subsidization by entities affiliated with  
4751 the electric distribution company, and (2) shall give preference to  
4752 proposals that make efficient use of existing sites and supply  
4753 infrastructure. No such company may, under any circumstances,  
4754 recover more than the full costs identified in a proposal, as approved  
4755 by the department. Nothing in this section shall preclude the resale or  
4756 other disposition of energy or associated renewable energy credits  
4757 purchased by the electric distribution company, provided the  
4758 distribution company shall net the cost of payments made to projects

4759 under the long-term contracts against the proceeds of the sale of  
4760 energy or renewable energy credits and the difference shall be credited  
4761 or charged to distribution customers through a reconciling component  
4762 of electric rates as determined by the authority that is nonbypassable  
4763 when switching electric suppliers.

4764 Sec. 124. Section 16-43d of the general statutes is repealed and the  
4765 following is substituted in lieu thereof (*Effective from passage*):

4766 If any existing electric generation plant within the state is offered for  
4767 sale, the Public Utilities Regulatory Authority shall authorize the  
4768 electric distribution companies to purchase and operate such plants if  
4769 the authority, through a contested case proceeding, determines that  
4770 such purchase and operation is in the public interest, provided any  
4771 acquisition plan shall include provisions for payment of property taxes  
4772 on the value of the purchased plant and provisions for employee  
4773 protections. [consistent with subdivision (3) of subsection (b) of section  
4774 16-244f.] An electric distribution company purchasing such generation  
4775 plants shall be entitled to recover the costs of such purchase in an  
4776 annual retail generation rate contested case consistent with the  
4777 principles set forth in sections 16-19, 16-19b and 16-19e, as amended by  
4778 this act, provided the return on equity associated with such purchase  
4779 and operation shall be established in said contested case proceeding  
4780 and updated at least once every four years. The authority shall review  
4781 and approve the cost recovery provisions in the proceeding to  
4782 determine that such purchase and operation are in the public interest.

4783 Sec. 125. Section 25-157 of the general statutes is repealed and the  
4784 following is substituted in lieu thereof (*Effective from passage*):

4785 Notwithstanding any other provision of the general statutes, no  
4786 state agency, including, but not limited to, the Department of Energy  
4787 and Environmental Protection and the Connecticut Siting Council  
4788 within said department, shall consider or render a final decision for  
4789 any applications relating to electric power line crossings, gas pipeline  
4790 crossings or telecommunications crossings of Long Island Sound that

4791 have required or will require a certificate issued pursuant to section  
4792 16-50k or approval by the Federal Energy Regulatory Commission  
4793 including, but not limited to, electrical power line, gas pipeline or  
4794 telecommunications applications that are pending or received after  
4795 June 3, 2002, for a period of three years after June 3, 2002. Such  
4796 moratorium shall not apply to applications relating solely to the  
4797 maintenance, repair or replacement necessary for repair of electrical  
4798 power lines, gas pipelines or telecommunications facilities currently  
4799 used to provide service to customers located on islands or peninsulas  
4800 off the Connecticut coast or harbors, embayments, tidal rivers, streams  
4801 or creeks. An applicant may seek a waiver of such moratorium by  
4802 submitting a petition to the following: The chairpersons and ranking  
4803 members of the joint standing committees of the General Assembly  
4804 having cognizance of matters relating to energy and the environment,  
4805 the chairman of the Connecticut Siting Council, the Commissioner of  
4806 Energy and Environmental Protection, and any other state agency  
4807 head with jurisdiction over the subject of the petition. Such persons  
4808 may grant a petition for a waiver by unanimous consent. Nothing in  
4809 [section 16-244j,] this section or sections 25-157a to 25-157c, inclusive,  
4810 as amended by this act, shall be construed to affect the project in the  
4811 corridor across Long Island Sound, from Norwalk to Northport, New  
4812 York, to replace the existing electric cables that cross the sound.

4813 Sec. 126. Section 25-157c of the general statutes is repealed and the  
4814 following is substituted in lieu thereof (*Effective from passage*):

4815 Notwithstanding any provision of the general statutes, the  
4816 Connecticut Siting Council, within fifteen days of June 3, 2002, shall  
4817 submit the state's advisory opinion to the Federal Energy Regulatory  
4818 Commission requesting that, on behalf of the state, the Federal Energy  
4819 Regulatory Commission not approve any new individual electric  
4820 power line crossing, gas pipeline crossing or telecommunications  
4821 crossing until the comprehensive environmental assessment and plan  
4822 described in section 25-157a is completed and that the Federal Energy  
4823 Regulatory Commission avoid environmental damage to Long Island  
4824 Sound to the greatest extent possible when licensing any future project

4825 by considering the recommendations contained in the comprehensive  
4826 environmental assessment and plan described in section 25-157a.  
4827 Notwithstanding the provisions of sections [16-244j and] 25-157 to 25-  
4828 157b, inclusive, as amended by this act, and this section, if the Federal  
4829 Energy Regulatory Commission proceeds with consideration of any  
4830 such project, regardless of the Siting Council's request, the Connecticut  
4831 Siting Council and any other state agency with jurisdiction over such  
4832 project shall review such proposed project and recommend siting,  
4833 construction procedures and environmental mitigation measures to the  
4834 Federal Energy Regulatory Commission for such project that conform  
4835 with the comprehensive environmental assessment and plan described  
4836 in section 25-157a, to the degree such assessment and plan information  
4837 is available.

4838 Sec. 127. Section 16-228 of the 2014 supplement to the general  
4839 statutes is repealed and the following is substituted in lieu thereof  
4840 (*Effective from passage*):

4841 Subject to the restrictions of sections 16-18 [,] and 16-248, [16-249  
4842 and 16-250,] each telephone company may construct and maintain  
4843 telephone lines, upon any highway or across any waters in this state,  
4844 by the erection and maintenance of the necessary fixtures, including  
4845 posts, piers or abutments, for sustaining wires; but the same shall not  
4846 be so constructed as to incommode public travel or navigation or  
4847 injure any tree without the consent of the owner, nor shall such  
4848 company construct any bridge across any waters. Such lines shall be  
4849 personal property.

4850 Sec. 128. Subsection (a) of section 16-247c of the general statutes is  
4851 repealed and the following is substituted in lieu thereof (*Effective from*  
4852 *passage*):

4853 (a) No person shall provide intrastate telecommunications services,  
4854 except for private telecommunications service, commercial mobile  
4855 telecommunications service to the extent regulated by the federal  
4856 government and any service authorized under [section 16-250a or] a

4857 joint or shared user tariff approved by the Public Utilities Regulatory  
4858 Authority, unless the person (1) offered, promoted and provided  
4859 intrastate telecommunications services on or before January 1, 1984,  
4860 pursuant to a special charter or certificate of public convenience and  
4861 necessity, or (2) is certified to provide intrastate telecommunications  
4862 services by the Public Utilities Regulatory Authority pursuant to  
4863 sections 16-247f to 16-247h, inclusive.

4864 Sec. 129. Subsection (b) of section 4a-1a of the 2014 supplement to  
4865 the general statutes is repealed and the following is substituted in lieu  
4866 thereof (*Effective from passage*):

4867 (b) (1) Wherever the term "Commissioner of Construction Services"  
4868 is used in the following sections of the general statutes, the term  
4869 "Commissioner of Administrative Services" shall be substituted in lieu  
4870 thereof; and (2) wherever the term "Department of Construction  
4871 Services" is used in the following sections of the general statutes, the  
4872 term "Department of Administrative Services" shall be substituted in  
4873 lieu thereof: 3-20, 3-21d, 4-61, 4-89, 4b-1, 4b-1a, 4b-16, 4b-22a, 4b-24b,  
4874 4b-51, 4b-51a, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-60, 4b-63, 4b-70, 4b-  
4875 91, 4b-100, 4b-100a, 4b-102, 4b-103, 4b-133, 4b-134, 5-198, 7-323p, 10-  
4876 220, 10-282, 10-283, 10-283b, 10-284, 10-285d, 10-285e, 10-285g, 10-286,  
4877 10-286d, 10-286e, 10-286g, 10-286h, 10-287, 10-287c, 10-287d, 10-287i,  
4878 10-289h, 10-290a, 10-290b, 10-290e, 10-290f, 10-291, 10-291a, 10-292q,  
4879 10a-90, 10a-91, 10a-91c, 10a-91d, 10a-109ff, 13b-20n, 15-120qq, [16a-  
4880 37v,] 16a-38, 16a-38a, 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38k, 16a-  
4881 38l, 16a-39, 17a-27, 17a-27d, 17a-154, 17a-451b, 17b-739, 20-330, 21a-86f,  
4882 22-64, 22a-6, 22a-12, 22a-439a, 22a-459, 26-3, 27-45, 27-131, 29-109, 29-  
4883 117, 29-127, 29-191, 29-192, 29-199, 29-200, 29-204, 29-221, 29-222, 29-  
4884 224b, 29-234, 29-235, 29-236, 29-237, 29-238, 29-239, 29-240, 29-244, 29-  
4885 250, 29-251, 29-251a, 29-251b, 29-251c, 29-252, 29-252a, 29-254b, 29-256,  
4886 29-256a, 29-256b, 29-258, 29-261, 29-262, 29-262a, 29-263, 29-269a, 29-  
4887 291, 29-298a, 29-313, 29-315, 29-315c, 29-317, as amended by this act,  
4888 29-319, 29-320, as amended by this act, 29-321, 29-325, 29-331, as  
4889 amended by this act, 29-333, 29-337, 29-338, 29-344, 29-345, 29-346, 29-  
4890 349, 29-355, 29-359, 29-367, 29-401, 29-402, 29-403, 31-57, 32-612, 32-613,

4891 32-655a, 32-656 and 49-41b.

4892 Sec. 130. Subdivision (2) of subsection (a) of section 16-245m and  
 4893 sections 16-243s, 16-244f, 16-244j, 16-245v, 16-246a, 16-247o, 16-249 to  
 4894 16-250a, inclusive, 16-258c and 16-281a of the general statutes are  
 4895 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-1(a)
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	16-10a(a)
Sec. 4	<i>from passage</i>	16-252
Sec. 5	<i>from passage</i>	16-265
Sec. 6	<i>from passage</i>	52-557o
Sec. 7	<i>from passage</i>	16-19dd
Sec. 8	<i>from passage</i>	16-50j(h)
Sec. 9	<i>from passage</i>	16-243n
Sec. 10	<i>from passage</i>	16-244b
Sec. 11	<i>from passage</i>	16-244c(e)
Sec. 12	<i>from passage</i>	16-244u(e)
Sec. 13	<i>from passage</i>	16-245a(g)
Sec. 14	<i>from passage</i>	16-245m(a)(1)
Sec. 15	<i>from passage</i>	16-245n(b)
Sec. 16	<i>from passage</i>	16-245ff(b)
Sec. 17	<i>from passage</i>	16-262y(c)
Sec. 18	<i>from passage</i>	16a-3(a)
Sec. 19	<i>from passage</i>	16a-3e
Sec. 20	<i>from passage</i>	16a-40m(c)
Sec. 21	<i>from passage</i>	12-81(57)
Sec. 22	<i>from passage</i>	12-268s(e)
Sec. 23	<i>from passage</i>	13a-126c
Sec. 24	<i>from passage</i>	16a-51(a)
Sec. 25	<i>from passage</i>	8-133a
Sec. 26	<i>from passage</i>	8-194
Sec. 27	<i>from passage</i>	8-395(a)
Sec. 28	<i>from passage</i>	12-80
Sec. 29	<i>from passage</i>	13a-127
Sec. 30	<i>from passage</i>	16-32

Sec. 31	<i>from passage</i>	16-237
Sec. 32	<i>from passage</i>	16-238
Sec. 33	<i>from passage</i>	16-345(c)
Sec. 34	<i>from passage</i>	22a-470
Sec. 35	<i>from passage</i>	29-19(a)
Sec. 36	<i>from passage</i>	31-16
Sec. 37	<i>from passage</i>	32-224(g)
Sec. 38	<i>from passage</i>	33-645(b)
Sec. 39	<i>from passage</i>	33-920(a)
Sec. 40	<i>from passage</i>	33-1035(b)
Sec. 41	<i>from passage</i>	33-1210(a)
Sec. 42	<i>from passage</i>	34-119(d)
Sec. 43	<i>from passage</i>	52-380b
Sec. 44	<i>from passage</i>	8-37jj(b)
Sec. 45	<i>from passage</i>	9-601a(b)(13)
Sec. 46	<i>from passage</i>	12-213(a)(20)(A)
Sec. 47	<i>from passage</i>	12-265(b)
Sec. 48	<i>from passage</i>	16-8(b)(4)
Sec. 49	<i>from passage</i>	16-11a(a)
Sec. 50	<i>from passage</i>	16-19(a)
Sec. 51	<i>from passage</i>	16-19a
Sec. 52	<i>from passage</i>	16-19b(c)
Sec. 53	<i>from passage</i>	16-19b(e)
Sec. 54	<i>from passage</i>	16-19b(j) to (l)
Sec. 55	<i>from passage</i>	16-19d(b)
Sec. 56	<i>from passage</i>	16-19d(f)
Sec. 57	<i>from passage</i>	16-19e(b) to (d)
Sec. 58	<i>from passage</i>	16-19bb
Sec. 59	<i>from passage</i>	16-19ee
Sec. 60	<i>from passage</i>	16-19ff(a)
Sec. 61	<i>from passage</i>	16-19hh(b)
Sec. 62	<i>from passage</i>	16-19kk(a) and (b)
Sec. 63	<i>from passage</i>	16-19oo
Sec. 64	<i>from passage</i>	16-19rr
Sec. 65	<i>from passage</i>	16-19uu
Sec. 66	<i>from passage</i>	16-32c(a)
Sec. 67	<i>from passage</i>	16-32g
Sec. 68	<i>from passage</i>	16-32h(d)(7)
Sec. 69	<i>from passage</i>	16-47
Sec. 70	<i>from passage</i>	16-50i(f)

Sec. 71	<i>from passage</i>	16-501(b)
Sec. 72	<i>from passage</i>	16-232
Sec. 73	<i>from passage</i>	16-234(a)
Sec. 74	<i>from passage</i>	16-243a(f)
Sec. 75	<i>from passage</i>	16-243c
Sec. 76	<i>from passage</i>	16-243e
Sec. 77	<i>from passage</i>	16-243g
Sec. 78	<i>from passage</i>	16-243z
Sec. 79	January 1, 2015	16-243z
Sec. 80	<i>from passage</i>	16-243aa
Sec. 81	<i>from passage</i>	16-244e
Sec. 82	<i>from passage</i>	16-244g(a)
Sec. 83	<i>from passage</i>	16-244h(b)
Sec. 84	<i>from passage</i>	16-245e
Sec. 85	<i>from passage</i>	16-245f(a)
Sec. 86	<i>from passage</i>	16-245g
Sec. 87	<i>from passage</i>	16-245h
Sec. 88	<i>from passage</i>	16-245i(a) and (b)
Sec. 89	<i>from passage</i>	16-245j(a) to (c)
Sec. 90	<i>from passage</i>	16-245k
Sec. 91	<i>from passage</i>	16-245o(a) to (d)
Sec. 92	<i>from passage</i>	16-245p(a)
Sec. 93	<i>from passage</i>	16-245y(a)
Sec. 94	<i>from passage</i>	16-245ii
Sec. 95	<i>from passage</i>	16-245jj
Sec. 96	<i>from passage</i>	16-246e(a)
Sec. 97	<i>from passage</i>	16-246f
Sec. 98	<i>from passage</i>	16-259a(a) to (c)
Sec. 99	<i>from passage</i>	16-261
Sec. 100	<i>from passage</i>	16-262c
Sec. 101	<i>from passage</i>	16-262d(a)
Sec. 102	<i>from passage</i>	16-262e(a)
Sec. 103	<i>from passage</i>	16-262f(a)
Sec. 104	<i>from passage</i>	16-262i(b)
Sec. 105	<i>from passage</i>	16a-37f
Sec. 106	<i>from passage</i>	16a-40b(e) and (f)
Sec. 107	<i>from passage</i>	16a-41h
Sec. 108	<i>from passage</i>	22a-66k
Sec. 109	January 1, 2015	29-317
Sec. 110	<i>from passage</i>	29-320

Sec. 111	<i>January 1, 2015</i>	29-230
Sec. 112	<i>January 1, 2015</i>	29-329
Sec. 113	<i>from passage</i>	29-331
Sec. 114	<i>January 1, 2015</i>	29-331
Sec. 115	<i>from passage</i>	33-221
Sec. 116	<i>from passage</i>	36a-250(a)(13)
Sec. 117	<i>from passage</i>	36a-455a(a)(14)
Sec. 118	<i>from passage</i>	49-4c
Sec. 119	<i>from passage</i>	52-287
Sec. 120	<i>from passage</i>	16-243m(k)
Sec. 121	<i>from passage</i>	16-243p(a)
Sec. 122	<i>from passage</i>	16-243r
Sec. 123	<i>from passage</i>	16-244v(a)
Sec. 124	<i>from passage</i>	16-43d
Sec. 125	<i>from passage</i>	25-157
Sec. 126	<i>from passage</i>	25-157c
Sec. 127	<i>from passage</i>	16-228
Sec. 128	<i>from passage</i>	16-247c(a)
Sec. 129	<i>from passage</i>	4a-1a(b)
Sec. 130	<i>from passage</i>	Repealer section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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### ***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

### ***Explanation***

The bill (1) allows certain electric customers to share a billing credit they receive when they generate power using renewable energy technologies; (2) eliminates a statutory requirement that electric companies separately identify the charge for generation services on their customers' bills; (3) exempts entities that submeter from laws and regulations that apply to electric companies; and (4) makes numerous technical changes. These changes have no fiscal impact.

House "A" eliminates the original bill and its associated fiscal note and results in the impact described above.

### ***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

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**OLR Bill Analysis****sHB 5115 (as amended by House "A")\******AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO AND REPEAL OF OBSOLETE PROVISIONS OF ENERGY AND TECHNOLOGY STATUTES.*****SUMMARY:**

This bill makes a minor change in the law governing virtual net metering, which allows certain electric customers to share a billing credit they receive when they generate power using renewable energy technologies. It also explicitly exempts entities that submeter (e.g., a campground that measures electric use at individual campsites) from the laws and regulations that apply to electric companies.

Finally, the bill makes numerous technical changes to the energy and public utility statutes that, among other things, eliminate obsolete provisions (e.g., those regulating telegraph companies) and correct statutory references.

\*House Amendment "A" (1) reinstates a provision of the law, deleted in the original file, that requires electric companies to separately identify the charge for generation services on their customers' bills and (2) makes additional technical changes.

EFFECTIVE DATE: Upon passage, except for technical changes regarding geographical information systems (§ 79), installation of oil burners and related equipment (§ 109), pipeline safety (§ 111), installation of gas equipment and piping (§ 112), and storage of liquefied petroleum gas (propane) (§ 114), which are effective January 1, 2015.

**VIRTUAL NET METERING**

By law, municipal, state agency, and agricultural electric customers that install specified renewable generation systems (“hosts”) are eligible to receive a billing credit for power they generate and provide to the grid. The customers can share this credit with certain other customers (“beneficial accounts”). The total amount of the credits is capped at \$10 million, and each of the three categories of hosts is limited to 40% of this amount. The bill specifies that the 40% limit also applies to the beneficial accounts of these three categories of hosts.

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable

Yea 23    Nay 0    (03/18/2014)