General Assembly

Amendment

February Session, 2014

LCO No. **4134**

HB0511504134HD0

Offered by:
REP. REED, 102nd Dist.
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To: Subst. House Bill No. **5115** File No. 365 Cal. No. 233

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

Strike everything after the enacting clause and substitute the following in lieu thereof:

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 Subsection (a) of section 16-1 of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

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

[(3) "Commissioner of Transportation" means the Commissioner of Transportation appointed under section 13b-3;]

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

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

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

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

(8) "Electric company" includes, until an electric company has been unbundled in accordance with the provisions of section 16-244e, every person owning, leasing, maintaining, operating, managing or controlling poles, wires, conduits or other fixtures, along public

highways or streets, for the transmission or distribution of electric current for sale for light, heat or power within this state, or engaged in generating electricity to be so transmitted or distributed for such purpose, but shall not include (A) a private power producer, as defined in section 16-243b, (B) an exempt wholesale generator, as defined in 15 USC 79z-5a, (C) a municipal electric utility established under chapter 101, (D) a municipal electric energy cooperative established under chapter 101a, (E) an electric cooperative established under chapter 597, (F) any other electric utility owned, leased, maintained, operated, managed or controlled by any unit of local government under any general statute or any public or special act, (G) an entity approved to submeter pursuant to section 16-19ff, or (H) a municipality, state or federal governmental entity authorized to distribute electricity across a public highway or street pursuant to section 16-243aa;**]**

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

[(10)**]** (6) "Water company" includes every person owning, leasing, maintaining, operating, managing or controlling any pond, lake, reservoir, stream, well or distributing plant or system employed for the purpose of supplying water to fifty or more consumers. A water

company does not include homeowners, condominium associations providing water only to their members, homeowners associations providing water to customers at least eighty per cent of whom are members of such associations, a municipal waterworks system established under chapter 102, a district, metropolitan district, municipal district or special services district established under chapter 105, chapter 105a or any other general statute or any public or special act which is authorized to supply water, or any other waterworks system owned, leased, maintained, operated, managed or controlled by any unit of local government under any general statute or any public or special act;

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

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

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

[(14)**]** (10) "Community antenna television company" includes every person owning, leasing, maintaining, operating, managing or controlling a community antenna television system, in, under or over any public street or highway, for the purpose of providing community antenna television service for hire and shall include any municipality which owns or operates one or more plants for the manufacture or

distribution of electricity pursuant to section 7-213 or any special act and seeks to obtain or obtains a certificate of public convenience and necessity to construct or operate a community antenna television system pursuant to section 16-331 or a certificate of cable franchise authority pursuant to section 16-331q. "Community antenna television company" does not include a certified competitive video service provider;

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

[(16)**]** (12) "Community antenna television system" means a facility, consisting of a set of closed transmission paths and associated signal generation, reception and control equipment that is designed to provide community antenna television service which includes video programming and which is provided in, under or over any public street or highway, for hire, to multiple subscribers within a franchise, but such term does not include (A) a facility that serves only to retransmit the television signals of one or more television broadcast stations; (B) a facility that serves only subscribers in one or more multiple unit dwellings under common ownership, control or management, unless such facility is located in, under or over a public street or highway; (C) a facility of a common carrier which is subject, in whole or in part, to the provisions of Subchapter II of Chapter 5 of the Communications Act of 1934, 47 USC 201 et seq., as amended, except that such facility shall be considered a community antenna television system and the carrier shall be considered a public service company to the extent such facility is used in the transmission of video programming directly to subscribers; or (D) a facility of an electric

141 distribution company which is used solely for operating its electric
142 distribution company systems. "Community antenna television
143 system" does not include a facility used by a certified competitive
144 video service provider to provide video service;

145 [(17)] (13) "Video programming" means programming provided by,
146 or generally considered comparable to programming provided by, a
147 television broadcast station;

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

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

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

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

170 [(22)] (16) "Renewable fuel resources" means energy sources
171 described in subdivisions [(26)] (20) and [(27)] (21) of this subsection;

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

175 [(24)] (18) "Domestic telephone company" includes any telephone
176 company which has been chartered by or organized or constituted
177 within or under the laws of this state;

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

193 [(26)] (20) "Class I renewable energy source" means (A) electricity
194 derived from (i) solar power, (ii) wind power, (iii) a fuel cell, (iv)
195 geothermal, (v) landfill methane gas, anaerobic digestion or other
196 biogas derived from biological sources, (vi) thermal electric direct
197 energy conversion from a certified Class I renewable energy source,
198 (vii) ocean thermal power, (viii) wave or tidal power, (ix) low emission
199 advanced renewable energy conversion technologies, (x) a run-of-the-
200 river hydropower facility that began operation after July 1, 2003, and
201 has a generating capacity of not more than thirty megawatts, provided
202 a facility that applies for certification under this clause after January 1,
203 2013, shall not be based on a new dam or a dam identified by the
204 commissioner as a candidate for removal, and shall meet applicable

205 state and federal requirements, including applicable site-specific
206 standards for water quality and fish passage, or (xi) a biomass facility
207 that uses sustainable biomass fuel and has an average emission rate of
208 equal to or less than .075 pounds of nitrogen oxides per million BTU of
209 heat input for the previous calendar quarter, except that energy
210 derived from a biomass facility with a capacity of less than five
211 hundred kilowatts that began construction before July 1, 2003, may be
212 considered a Class I renewable energy source, or (B) any electrical
213 generation, including distributed generation, generated from a Class I
214 renewable energy source, provided, on and after January 1, 2014, any
215 megawatt hours of electricity from a renewable energy source
216 described under this subparagraph that are claimed or counted by a
217 load-serving entity, province or state toward compliance with
218 renewable portfolio standards or renewable energy policy goals in
219 another province or state, other than the state of Connecticut, shall not
220 be eligible for compliance with the renewable portfolio standards
221 established pursuant to section 16-245a, as amended by this act;

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

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

234 **[**(29)**]** (23) "Electric distribution company" or "distribution company"
235 means any person providing electric transmission or distribution
236 services within the state, **[**including an electric company, subject to
237 subparagraph (F) of this subdivision,**]** but does not include: (A) A

private power producer, as defined in section 16-243b; (B) a municipal electric utility established under chapter 101, other than a participating municipal electric utility; (C) a municipal electric energy cooperative established under chapter 101a; (D) an electric cooperative established under chapter 597; (E) any other electric utility owned, leased, maintained, operated, managed or controlled by any unit of local government under any general statute or special act; (F) **[**after an electric company has been unbundled in accordance with the provisions of section 16-244e, a generation entity or affiliate of the former electric company; or (G)**]** an electric supplier; (G) an entity approved to submeter pursuant to section 16-19ff, as amended by this act; or (H) a municipality, state or federal governmental entity authorized to distribute electricity across a public highway or street pursuant to section 16-243aa, as amended by this act;

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

[(31)**]** (25) "Electric aggregator" means (A) a person, municipality or regional water authority that gathers together electric customers for the purpose of negotiating the purchase of electric generation services from an electric supplier, or (B) the Connecticut Resources Recovery Authority, if it gathers together electric customers for the purpose of negotiating the purchase of electric generation services from an electric

271 supplier, provided such person, municipality or authority is not
272 engaged in the purchase or resale of electric generation services, and
273 provided further such customers contract for electric generation
274 services directly with an electric supplier, and may include an electric
275 cooperative established pursuant to chapter 597;

276 **[**(32)**]** (26) "Electric generation services" means electric energy,
277 electric capacity or generation-related services;

278 **[**(33)**]** (27) "Electric transmission services" means electric
279 transmission or transmission-related services;

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

285 **[**(35)**]** (29) "Participating municipal electric utility" means a
286 municipal electric utility established under chapter 101 or any other
287 electric utility owned, leased, maintained, operated, managed or
288 controlled by any unit of local government under any general statute
289 or any public or special act, that is authorized by the authority in
290 accordance with section 16-245c to provide electric generation services
291 to end use customers outside its service area, as defined in section
292 16-245c;

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

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

299 **[**(38)**]** (32) "Certified telecommunications provider" means a person
300 certified by the authority to provide intrastate telecommunications

301 services, as defined in section 16-247a, pursuant to sections 16-247f to
302 16-247h, inclusive;

303 [(39)] (33) "Gas registrant" means a person registered to sell natural
304 gas pursuant to section 16-258a;

305 [(40)] (34) "Customer-side distributed resources" means (A) the
306 generation of electricity from a unit with a rating of not more than
307 sixty-five megawatts on the premises of a retail end user within the
308 transmission and distribution system including, but not limited to, fuel
309 cells, photovoltaic systems or small wind turbines, or (B) a reduction in
310 the demand for electricity on the premises of a retail end user in the
311 distribution system through methods of conservation and load
312 management, including, but not limited to, peak reduction systems
313 and demand response systems;

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

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

329 [(43)] (37) "Grid-side distributed resources" means the generation of
330 electricity from a unit with a rating of not more than sixty-five
331 megawatts that is connected to the transmission or distribution system,

332 which units may include, but are not limited to, units used primarily to
333 generate electricity to meet peak demand;

334 [(44)] (38) "Class III source" means the electricity output from
335 combined heat and power systems with an operating efficiency level of
336 no less than fifty per cent that are part of customer-side distributed
337 resources developed at commercial and industrial facilities in this state
338 on or after January 1, 2006, a waste heat recovery system installed on
339 or after April 1, 2007, that produces electrical or thermal energy by
340 capturing preexisting waste heat or pressure from industrial or
341 commercial processes, or the electricity savings created in this state
342 from conservation and load management programs begun on or after
343 January 1, 2006, provided on and after January 1, 2014, no such
344 programs supported by ratepayers, including programs overseen by
345 the Energy Conservation Management Board or third-party programs
346 pursuant to section 16-245m, as amended by this act, shall be
347 considered a Class III source, except that any demand-side
348 management project awarded a contract pursuant to section 16-243m,
349 as amended by this act, shall remain eligible as a Class III source for
350 the term of such contract;

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

363 [(46)] (40) "Video service" means video programming services
364 provided through wireline facilities, a portion of which are located in

365 the public right-of-way, without regard to delivery technology,
366 including Internet protocol technology. "Video service" does not
367 include any video programming provided by a commercial mobile
368 service provider, as defined in 47 USC 332(d), any video programming
369 provided as part of community antenna television service in a
370 franchise area as of October 1, 2007, any video programming provided
371 as part of and via a service that enables users to access content,
372 information, electronic mail or other services over the public Internet;

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

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

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

398 a community antenna television company under the terms specified in
399 sections 16-331q to 16-331aa, inclusive;

400 **[**(50)**]** (44) "Thermal energy transportation company" means any
401 person authorized under any provision of the general statutes or
402 special act to furnish heat or air conditioning or both, by means of
403 steam, heated or chilled water or other medium, to lay and maintain
404 mains, pipes or other conduits, and to erect such other fixtures
405 necessary or convenient in and on the streets, highways and public
406 grounds of any municipality to carry steam, heated or chilled water or
407 other medium from such plant to the location to be served and to
408 return the same;

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

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

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

426 Sec. 2. (NEW) (*Effective from passage*) Terms used in chapter 244,
427 sections 16-216 to 16-227, inclusive, of the general statutes and chapters
428 244a, 244b, 245, 245a and 245b of the general statutes shall be

429 construed as follows, unless another meaning is expressed or is clearly
430 apparent from the language or context:

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

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

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

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

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

451 (a) Whenever any person, firm or corporation, incorporated under
452 the general statutes or any special act, is granted a franchise to operate
453 as a public service company, as defined in section 16-1, <u>as amended by</u>
454 <u>this act,</u> and fails to provide service which is adequate to serve the
455 public convenience and necessity of any town, city, borough, district or
456 other political subdivision of the state, or any portion thereof, for a
457 period of five years from the date of such franchise or from January 1,
458 1961, whichever is later, the Public Utilities Regulatory Authority, on
459 its own initiative, or upon complaint of any such town, city, borough,

460 district or other political subdivision, or on petition of not less than
461 five per cent of the affected persons, but in no event more than one
462 thousand persons, in any such town, city, borough, district or other
463 political subdivision, shall fix a time and place for a hearing to be held
464 thereon. The authority shall give notice thereof to all parties in interest
465 and shall make such further investigation into the alleged failure to
466 provide such service as it deems necessary. If upon such hearing, said
467 authority finds that the holder of such franchise has failed to provide
468 such service and that there is an immediate need for such service, it
469 may revoke such franchise as to any such town, city, borough, district
470 or political subdivision, or any portion thereof, or make such other
471 order as may be necessary to provide such service. Whenever any
472 person, firm or corporation, incorporated under the general statutes or
473 any special act, is granted a franchise to operate as a railroad company,
474 as defined in **[**section 16-1**]** section 2 of this act, and fails to provide
475 adequate service, or has discontinued the service, on any segment of its
476 lines for which such franchise is granted for a period of five years or
477 more, the franchise for such segment of line shall cease to exist and
478 shall be revoked by the authority for such failure to operate such
479 service or discontinuance of service for a period of five years or more.

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

482 All such bonds may be secured by a mortgage of the property, real,
483 personal or mixed, of the mortgagor, executed by its president, under
484 its corporate seal, to the Treasurer of the state, and his successors in
485 office, in trust, for the holders of such bonds, and recorded in the office
486 of the Secretary of the State, and such mortgage shall secure equally all
487 such bonds as may be issued from time to time to the full amount
488 specified in the mortgage, and may include not only the property then
489 owned by the mortgagor but also property to be thereafter acquired by
490 it. In such mortgage deed, it shall be sufficient to describe the lines,
491 wires, poles, conduits, equipment and apparatus of the telephone
492 company, in general terms and by general reference to locality. The

493 provisions of sections 16-218 to 16-227, inclusive, concerning the
494 foreclosure of mortgages of railroad companies, as defined in section 2
495 of this act, shall apply to any mortgages or bonds issued by telephone
496 companies, associations or corporations.

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

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

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

518 No action for trespass shall lie against any surveyor licensed under
519 chapter 391 or person acting at the direction of any such licensed
520 surveyor who enters upon land other than the land being surveyed
521 without causing any damage to such other land in order to perform a
522 survey, provided no such surveyor or person acting at the direction of
523 such surveyor shall enter upon any land owned by a railroad
524 company, as defined in section **[**16-1**]** 2 of this act, which is within fifty

525 feet of a railroad track without first obtaining written permission from
526 the railroad company, which written permission shall not be
527 unreasonably withheld. Nothing herein shall relieve such licensed
528 surveyor or person from liability for actual damages caused by such
529 entry upon such other property.

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

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

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

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

549 (h) Prior to commencing any hearing pursuant to section 16-50m,
550 the council shall consult with and solicit written comments from (1) the
551 Department of Energy and Environmental Protection, the Department
552 of Public Health, the Council on Environmental Quality, the
553 Department of Agriculture, the Public Utilities Regulatory Authority,
554 the Office of Policy and Management, the Department of Economic
555 and Community Development and the Department of Transportation,

556 and (2) in a hearing pursuant to section 16-50m, for a facility described
557 in subdivision (3) of subsection (a) of section 16-50i, the Department of
558 Emergency Services and Public Protection, the Department of
559 Consumer Protection, the Department of Administrative Services and
560 the Labor Department. **[**In addition, the Department of Energy and
561 Environmental Protection shall have the continuing responsibility to
562 investigate and report to the council on all applications which prior to
563 October 1, 1973, were within the jurisdiction of the Department of
564 Environmental Protection with respect to the granting of a permit.**]**
565 Copies of such comments shall be made available to all parties prior to
566 the commencement of the hearing. Subsequent to the commencement
567 of the hearing, said departments and council may file additional
568 written comments with the council within such period of time as the
569 council designates. All such written comments shall be made part of
570 the record provided by section 16-50o. Said departments and council
571 shall not enter any contract or agreement with any party to the
572 proceedings or hearings described in this section or section 16-50p that
573 requires said departments or council to withhold or retract comments,
574 refrain from participating in or withdraw from said proceedings or
575 hearings.

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

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

of-use rates through a procurement plan, revenue neutral adjustments to delivery rates, or both.

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

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

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

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

[(f)] (d) Each electric distribution company shall assist customers to help manage loads and reduce peak consumption through the comprehensive plan developed pursuant to section 16-245m, as

620 amended by this act.

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

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

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

653 section.

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

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

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

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

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

680 (g) **[**(1)**]** Notwithstanding the provisions of this section and section
681 16-244c, <u>as amended by this act,</u> for periods beginning on and after
682 January 1, 2008, each electric distribution company may procure
683 renewable energy certificates from Class I, Class II and Class III

684 renewable energy sources through long-term contracting mechanisms.
685 The electric distribution companies may enter into long-term contracts
686 for not more than fifteen years to procure such renewable energy
687 certificates. The electric distribution companies shall use any
688 renewable energy certificates obtained pursuant to this section to meet
689 their standard service and supplier of last resort renewable portfolio
690 standard requirements.

691 **[**(2) On or before July 1, 2007, the authority shall initiate a contested
692 case proceeding to examine whether long-term contracts should be
693 used to procure Class I, Class II and Class III certificates. In such
694 examination, the authority shall determine (A) the impact of such
695 contracts on price stability, fuel diversity and cost; (B) the method and
696 timing of crediting of the procurement of renewable energy certificates
697 against the renewable portfolio standard purchase obligations of
698 electric suppliers and the electric distribution companies pursuant to
699 subsection (a) of this section; (C) the terms and conditions, including
700 reasonable performance assurance commitments, that may be imposed
701 on entities seeking to supply renewable energy certificates; (D) the
702 level of one-time compensation, not to exceed one mill per kilowatt
703 hour of output and services associated with the renewable energy
704 certificates purchased pursuant to this subsection, which may be
705 payable to the electric distribution companies for administering the
706 procurement provided for under this subsection and recovered as part
707 of the generation services charge or through an appropriate
708 nonbypassable rate component on customers' bills; (E) the manner in
709 which costs for such program may be recovered from electric
710 distribution company customers; and (F) any other issues the authority
711 deems appropriate. Revenues from such compensation shall not be
712 included in calculating the electric distribution companies' earnings to
713 determine if rates are just and reasonable, for earnings sharing
714 mechanisms or for purposes of sections 16-19, 16-19a and 16-19e.**]**

715 Sec. 14. Subdivision (1) of subsection (a) of section 16-245m of the
716 2014 supplement to the general statutes is repealed and the following

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

718 (a) (1) On and after January 1, 2000, the Public Utilities Regulatory
719 Authority shall assess or cause to be assessed a charge of three mills
720 per kilowatt hour of electricity sold to each end use customer of an
721 electric distribution company to be used to implement the program as
722 provided in this section for conservation and load management
723 programs. **[**but not for the amortization of costs incurred prior to July
724 1, 1997, for such conservation and load management programs.**]**

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

728 (b) On and after July 1, 2004, the Public Utilities Regulatory
729 Authority shall assess or cause to be assessed a charge of not less than
730 one mill per kilowatt hour charged to each end use customer of electric
731 services in this state which shall be deposited into the Clean Energy
732 Fund established under subsection (c) of this section.
733 **[**Notwithstanding the provisions of this section, receipts from such
734 charges shall be disbursed to the resources of the General Fund during
735 the period from July 1, 2003, to June 30, 2005, unless the authority
736 shall, on or before October 30, 2003, issue a financing order for each
737 affected distribution company in accordance with sections 16-245e to
738 16-245k, inclusive, to sustain funding of renewable energy investment
739 programs by substituting an equivalent amount, as determined by the
740 authority in such financing order, of proceeds of rate reduction bonds
741 for disbursement to the resources of the General Fund during the
742 period from July 1, 2003, to June 30, 2005. The authority may authorize
743 in such financing order the issuance of rate reduction bonds that
744 substitute for disbursement to the General Fund for receipts of both
745 charges under this subsection and subsection (a) of section 16-245m
746 and also may in its discretion authorize the issuance of rate reduction
747 bonds under this subsection and subsection (a) of section 16-245m that
748 relate to more than one electric distribution company. The authority
749 shall, in such financing order or other appropriate order, offset any

750 increase in the competitive transition assessment necessary to pay
751 principal, premium, if any, interest and expenses of the issuance of
752 such rate reduction bonds by making an equivalent reduction to the
753 charges imposed under this subsection, provided any failure to offset
754 all or any portion of such increase in the competitive transition
755 assessment shall not affect the need to implement the full amount of
756 such increase as required by this subsection and sections 16-245e to 16-
757 245k, inclusive. Such financing order shall also provide if the rate
758 reduction bonds are not issued, any unrecovered funds expended and
759 committed by the electric distribution companies for renewable
760 resource investment through deposits into the Clean Energy Fund,
761 provided such expenditures were approved by the authority following
762 August 20, 2003, and prior to the date of determination that the rate
763 reduction bonds cannot be issued, shall be recovered by the companies
764 from their respective competitive transition assessment or systems
765 benefits charge, except that such expenditures shall not exceed one
766 million dollars per month. All receipts from the remaining charges
767 imposed under this subsection, after reduction of such charges to offset
768 the increase in the competitive transition assessment as provided in
769 this subsection, shall be disbursed to the Clean Energy Fund
770 commencing as of July 1, 2003. Any increase in the competitive
771 transition assessment or decrease in the renewable energy investment
772 component of an electric distribution company's rates resulting from
773 the issuance of or obligations under rate reduction bonds shall be
774 included as rate adjustments on customer bills.**]**

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

778 (b) The Clean Energy Finance and Investment Authority shall offer
779 direct financial incentives, in the form of performance-based incentives
780 or expected performance-based buydowns, for the purchase or lease of
781 qualifying residential solar photovoltaic systems. For the purposes of
782 this section, "performance-based incentives" means incentives paid out

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

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

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

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

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

818 (a) There is established a Connecticut Energy Advisory Board
819 consisting of nine members, including the **[**Office of**]** Consumer
820 Counsel. The president pro tempore of the Senate shall appoint a
821 representative of an environmental organization knowledgeable in
822 energy efficiency programs, a representative of a consumer advocacy
823 organization and a representative of a state-wide business association.
824 The speaker of the House of Representatives shall appoint a
825 representative of low-income ratepayers, a representative of academia
826 who has knowledge of energy-related issues and a member of the
827 public considered to be an expert in electricity, generation, renewable
828 energy, procurement or conservation programs. The minority leader of
829 the Senate shall appoint a representative of a municipality. The
830 minority leader of the House of Representatives shall appoint a
831 member of the public considered to be an expert in electricity,
832 generation, renewable energy, procurement or conservation. All
833 appointed members shall serve in accordance with section 4-1a. No
834 appointee may be employed by, or a consultant of, a public service
835 company, as defined in section 16-1, <u>as amended by this act,</u> or an
836 electric supplier, as defined in section 16-1, <u>as amended by this act,</u> or
837 an affiliate or subsidiary of such company or supplier.

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

841 The Integrated Resources Plan to be adopted in 2012 and **[**annually**]**
842 <u>biennially</u> thereafter, shall (1) indicate specific options to reduce
843 electric rates and costs. Such options may include the procurement of
844 new sources of generation. In the review of new sources of generation,
845 the Integrated Resources Plan shall indicate whether the private
846 wholesale market can supply such additional sources or whether state
847 financial assistance, long-term purchasing of electricity contracts or

848 other interventions are needed to achieve the goal; (2) analyze in-state
849 renewable sources of electricity in comparison to transmission line
850 upgrades or new projects and out-of-state renewable energy sources,
851 provided such analysis also considers the benefits of additional jobs
852 and other economic impacts and how they are created and subsidized;
853 (3) include an examination of average consumption and other states'
854 best practices to determine why electricity rates are lower elsewhere in
855 the region; (4) assess and compare the cost of transmission line
856 projects, new power sources, renewable sources of electricity,
857 conservation and distributed generation projects to ensure the state
858 pursues only the least-cost alternative projects; (5) continually monitor
859 supply and distribution systems to identify potential need for
860 transmission line projects early enough to identify alternatives; and (6)
861 assess the least-cost alternative to address reliability concerns,
862 including, but not limited to, lowering electricity demand through
863 conservation and distributed generation projects before an electric
864 distribution company submits a proposal for transmission lines or
865 transmission line upgrades to the independent system operator or the
866 Federal Energy Regulatory Commission, provided no provision of
867 such plan shall be deemed to prohibit an electric distribution company
868 from making any filing required by law or regulation.

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

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

880 Sec. 21. Subdivision (57) of section 12-81 of the 2014 supplement to

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

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

893 (B) For assessment years commencing on and after October 1, 2013,
894 any Class I renewable energy source, as defined in section 16-1, as
895 amended by this act, hydropower facility described in subdivision
896 **[**(27)**]** (21) of subsection (a) of section 16-1, as amended by this act, or
897 solar thermal or geothermal renewable energy source, installed for
898 generation or displacement of energy, provided (i) such installation
899 occurs on or after January 1, 2010, (ii) such installation is for
900 commercial or industrial purposes, (iii) the nameplate capacity of such
901 source or facility does not exceed the load for the location where such
902 generation or displacement is located, and (iv) such source or facility is
903 located in a distressed municipality, as defined in section 32-9p, with a
904 population between one hundred twenty-five thousand and one
905 hundred thirty-five thousand;

906 (C) For assessment years commencing on and after October 1, 2013,
907 any municipality may, upon approval by its legislative body or in any
908 town in which the legislative body is a town meeting, by the board of
909 selectmen, abate up to one hundred per cent of property tax for any
910 Class I renewable energy source, as defined in section 16-1, as
911 amended by this act, hydropower facility described in subdivision
912 **[**(27)**]** (21) of subsection (a) of section 16-1, as amended by this act, or
913 solar thermal or geothermal renewable energy source, installed for

914 generation or displacement of energy, provided (i) such installation
915 occurs between January 1, 2010, and December 31, 2013, (ii) such
916 installation is for commercial or industrial purposes, (iii) the nameplate
917 capacity of such source or facility does not exceed the load for the
918 location where such generation or displacement is located, and (iv)
919 such source or facility is not located in a municipality described in
920 subparagraph (B) of this subdivision;

921 (D) For assessment years commencing on and after October 1, 2014,
922 any Class I renewable energy source, as defined in section 16-1, as
923 amended by this act, hydropower facility described in subdivision
924 **[**(27)**]** (21) of subsection (a) of section 16-1, as amended by this act, or
925 solar thermal or geothermal renewable energy source, installed for
926 generation or displacement of energy, provided (i) such installation
927 occurs on or after January 1, 2014, (ii) is for commercial or industrial
928 purposes, and (iii) the nameplate capacity of such source or facility
929 does not exceed the load for the location where such generation or
930 displacement is located;

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

947 such alteration shall be deemed a waiver of the right to such
948 exemption until a new application, applicable with respect to such
949 altered source, is filed and the right to such exemption is established as
950 required initially;

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

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

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

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

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

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

992 Sec. 25. Section 8-133a of the general statutes is repealed and the
993 following is substituted in lieu thereof (*Effective from passage*):

994 As used in this section, "public service facility" includes any sewer,
995 pipe, main, conduit, cable, wire, pole, tower, building or utility
996 appliance owned or operated by an electric distribution, gas,
997 telephone, **[**telegraph,**]** water or community antenna television service
998 company. Whenever a redevelopment agency determines that the
999 closing of any street or public right-of-way is provided for in a
1000 redevelopment or renewal plan adopted and approved in accordance
1001 with section 8-127, or where the carrying out of such a redevelopment
1002 or renewal plan, including the construction of new improvements,
1003 requires the temporary or permanent readjustment, relocation or
1004 removal of a public service facility from a street or public right-of-way,
1005 the agency shall issue an appropriate order to the company owning or
1006 operating such facility, and such company shall permanently or
1007 temporarily readjust, relocate or remove the same promptly in
1008 accordance with such order, provided an equitable share of the cost of
1009 such readjustment, relocation or removal of said public service facility
1010 located within the redevelopment area, including the cost of installing
1011 and constructing a facility of equal capacity in a new location, shall be

1012 borne by the redevelopment agency. Such equitable share shall be fifty
1013 per cent of such cost after the deductions hereinafter provided. In
1014 establishing the equitable share of the cost to be borne by the
1015 redevelopment agency, there shall be deducted from the cost of the
1016 readjusted, relocated or removed facilities a sum based on a
1017 consideration of the value of materials salvaged from existing
1018 installations, the cost of the original installation, the life expectancy of
1019 the original facility and the unexpired term of such life use. For the
1020 purposes of determining the equitable share of the cost of such
1021 readjustment, relocation or removal, the books and records of the
1022 company shall be available for the inspection of the redevelopment
1023 agency. When any facility is removed from a street or public right-of-
1024 way to a private right-of-way, the redevelopment agency shall not pay
1025 for such private right-of-way. If the redevelopment agency and the
1026 company owning or operating such facility cannot agree upon the
1027 share of the cost to be borne by the redevelopment agency, either may
1028 apply to the superior court for the county within which the street or
1029 public right-of-way is situated, or, if the court is not in session, to any
1030 judge thereof, for a determination of the cost to be borne by the
1031 redevelopment agency, and such court or such judge, after causing
1032 notice of the pendency of such application to be given to the other
1033 party, shall appoint a state referee to make such determination. Such
1034 referee, having given at least ten days' notice, to the parties interested,
1035 of the time and place of the hearing, shall hear both parties, shall take
1036 such testimony as such referee may deem material and shall thereupon
1037 determine the amount of the cost to be borne by the redevelopment
1038 agency and forthwith report to the court. If the report is accepted by
1039 the court, such determination shall, subject to right of appeal as in civil
1040 actions, be conclusive upon such parties.

1041 Sec. 26. Section 8-194 of the general statutes is repealed and the
1042 following is substituted in lieu thereof (*Effective from passage*):

1043 As used in this section, "public service facility" includes any sewer,
1044 pipe, main, conduit, cable, wire, pole, tower, building or utility

1045 appliance owned or operated by an electric distribution, gas, telephone
1046 [, telegraph] or water company. Whenever a development agency
1047 determines that the closing of any street or public right-of-way is
1048 provided for in a development plan adopted and approved in
1049 accordance with this chapter, or where the carrying out of such a
1050 development plan, including the construction of new improvements,
1051 requires the temporary or permanent readjustment, relocation or
1052 removal of a public service facility from a street or public right-of-way,
1053 the agency shall issue an appropriate order to the company owning or
1054 operating such facility, and such company shall permanently or
1055 temporarily readjust, relocate or remove the same promptly in
1056 accordance with such order, provided an equitable share of the cost of
1057 such readjustment, relocation or removal, including the cost of
1058 installing and constructing a facility of equal capacity in a new
1059 location, shall be borne by the development agency. Such equitable
1060 share shall be fifty per cent of such cost after the deduction hereinafter
1061 provided. In establishing the equitable share of the cost to be borne by
1062 the development agency, there shall be deducted from the cost of the
1063 readjusted, relocated or removed facilities a sum based on a
1064 consideration of the value of materials salvaged from existing
1065 installations, the cost of the original installation, the life expectancy of
1066 the original facility and the unexpired term of such life use. For the
1067 purposes of determining the equitable share of the cost of such
1068 readjustment, relocation or removal, the books and records of the
1069 company shall be available for the inspection of the development
1070 agency. When any facility is removed from a street or public right-of-
1071 way to a private right-of-way, the development agency shall not pay
1072 for such private right-of-way. If the development agency and the
1073 company owning or operating such facility cannot agree upon the
1074 share of the cost to be borne by the development agency, either may
1075 apply to the superior court for the judicial district within which the
1076 street or public right-of-way is situated, or, if the court is not in session,
1077 to any judge thereof, for a determination of the cost to be borne by the
1078 development agency, and such court or such judge, after causing
1079 notice of the pendency of such application to be given to the other

1080 party, shall appoint a state referee to make such determination. Such
1081 referee, having given at least ten days' notice, to the parties interested,
1082 of the time and place of the hearing, shall hear both parties, shall take
1083 such testimony as such referee may deem material and shall thereupon
1084 determine the amount of the cost to be borne by the development
1085 agency and forthwith report to the court. If the report is accepted by
1086 the court, such determination shall, subject to right of appeal as in civil
1087 actions, be conclusive upon such parties.

1088 Sec. 27. Subsection (a) of section 8-395 of the general statutes is
1089 repealed and the following is substituted in lieu thereof (*Effective from*
1090 *passage*):

1091 (a) As used in this section, (1) "business firm" means any business
1092 entity authorized to do business in the state and subject to the
1093 corporation business tax imposed under chapter 208, or any company
1094 subject to a tax imposed under chapter 207, or any air carrier subject to
1095 the air carriers tax imposed under chapter 209, or any railroad
1096 company subject to the railroad companies tax imposed under chapter
1097 210, or any regulated telecommunications service, express, **[**telegraph,**]**
1098 cable **[**,**]** or community antenna television company subject to the
1099 regulated telecommunications service, express, **[**telegraph,**]** cable **[**,**]**
1100 and community antenna television companies tax imposed under
1101 chapter 211, or any utility company subject to the utility companies tax
1102 imposed under chapter 212, and (2) "nonprofit corporation" means a
1103 nonprofit corporation incorporated pursuant to chapter 602 or any
1104 predecessor statutes thereto, having as one of its purposes the
1105 construction, rehabilitation, ownership or operation of housing and
1106 having articles of incorporation approved by the executive director of
1107 the Connecticut Housing Finance Authority in accordance with
1108 regulations adopted pursuant to section 8-79a or 8-84.

1109 Sec. 28. Section 12-80 of the general statutes is repealed and the
1110 following is substituted in lieu thereof (*Effective from passage*):

1111 Real and tangible personal property owned by any company,

1112 including a foreign municipal electric utility as defined in section 12-
1113 59, employed in the manufacture, transmission or distribution of gas
1114 or electricity or both to be used for light, heat or motive power or in
1115 the operation of a system of water works for selling or distributing
1116 water or both for domestic or power purposes or for two or more of
1117 such purposes shall be set in the list of each town where such property
1118 is situated on its assessment day and shall be liable to taxation at such
1119 percentage of its fair market value as is determined by the assessors
1120 under the provisions of sections 12-64 and 12-71. The provisions of this
1121 section shall not affect the provisions of section 12-76. Property subject
1122 to taxation under the provisions of this section shall not be subject to
1123 taxation under the provisions of sections 12-77, 12-78 and 12-79.
1124 Railroad companies subject to taxation under the provisions of chapter
1125 210, and express, **[**telegraph,**]** telephone and cable companies subject to
1126 taxation under the provisions of chapter 211, shall not be subject to the
1127 provisions of this section.

1128 Sec. 29. Section 13a-127 of the general statutes is repealed and the
1129 following is substituted in lieu thereof (*Effective from passage*):

1130 The commissioner is authorized to contract with any person,
1131 partnership, association or corporation, desiring the use of the project
1132 authorized by section 13a-32, the Gold Star Memorial Bridge or the
1133 Old Lyme and Old Saybrook Bridge, or the appurtenances and
1134 approaches or any part of such project or bridges, for placing thereon
1135 water, steam, gas or oil pipelines, telephone, **[**telegraph,**]** electric light
1136 or power lines, or for any other purpose, and to fix the terms,
1137 conditions and rates and charges for such use.

1138 Sec. 30. Section 16-32 of the general statutes is repealed and the
1139 following is substituted in lieu thereof (*Effective from passage*):

1140 Each public service company **[**, except telegraph companies and
1141 express companies subject to the jurisdiction of the Interstate
1142 Commerce Commission or its successor agency,**]** shall have an annual
1143 comprehensive audit and report made of its accounts and operations

1144 by independent public accountants satisfactory to the Public Utilities
1145 Regulatory Authority. A copy of such annual audit report shall be filed
1146 with the authority, together with the company's annual report. In the
1147 absence of such an audit report, or if the authority, after notice and
1148 opportunity for a hearing, determines that such audit report is
1149 insufficient or unsatisfactory, the authority shall cause such an audit to
1150 be made at the expense of the company either by independent public
1151 accountants satisfactory to the authority or by any staff of the authority
1152 engaged in the activities contemplated by subsection (b) of section 16-
1153 8, as amended by this act. The authority may waive the compliance
1154 with the provisions of this section by any public service company
1155 whose annual gross income is less than one hundred thousand dollars.

1156 Sec. 31. Section 16-237 of the general statutes is repealed and the
1157 following is substituted in lieu thereof (*Effective from passage*):

1158 No person or corporation building and maintaining **[**telegraph,**]**
1159 telephone or electric light or power wires or fixtures, or electrical
1160 wires, conductors or fixtures of any kind shall, by reason of any
1161 occupation or use of any buildings or lands for the support of the wires
1162 of such person or corporation, or by reason of such wires passing over
1163 or through any buildings or lands, acquire by the continuance of such
1164 use or occupation any prescriptive right to so occupy or use the same.
1165 No length of possession, user or occupancy of any buildings or land, or
1166 adverse to any easement therein or right thereto belonging to a
1167 **[**telegraph,**]** telephone or electric **[**light or power corporation**]**
1168 distribution company, and used or acquired for use for its corporate
1169 purposes, shall create or continue any right in or to such land, or
1170 adverse to any such easement.

1171 Sec. 32. Section 16-238 of the general statutes is repealed and the
1172 following is substituted in lieu thereof (*Effective from passage*):

1173 When it is deemed necessary to cut or otherwise disconnect the
1174 wires or fixtures of any **[**telegraph,**]** telephone, electric **[**light or power**]**
1175 distribution company or other company or association hereinbefore

1176 referred to, or to remove such wires from the poles or fixtures to which
1177 they are attached, for the transportation of any object on the highway
1178 or upon any waterway, any person or corporation may do so,
1179 exercising reasonable care therein, after obtaining written consent of
1180 the municipality or other authority having control over such highway
1181 or waterway and the public service company or companies affected,
1182 which consent may be granted under such reasonable conditions as
1183 such municipality or other authority having such control and such
1184 company or companies may impose. If such consent cannot be
1185 secured, or if any of such conditions is not acceptable to the person or
1186 corporation seeking such consent, the Public Utilities Regulatory
1187 Authority shall, upon written application by such person or
1188 corporation and after notice to all parties affected, determine the
1189 necessity of such disconnection or removal and order the terms and
1190 conditions under which it shall be made.

1191 Sec. 33. Subsection (c) of section 16-345 of the general statutes is
1192 repealed and the following is substituted in lieu thereof (*Effective from*
1193 *passage*):

1194 (c) "Public utility" means the owner or operator of underground
1195 facilities for furnishing electric, gas, telephone, **[**telegraph,**]** pipeline,
1196 sewage, water, community television antenna, steam or traffic signal
1197 service, including a municipal or other public owner or operator.

1198 Sec. 34. Section 22a-470 of the general statutes is repealed and the
1199 following is substituted in lieu thereof (*Effective from passage*):

1200 Whenever a municipality obtains a grant under this chapter for the
1201 construction, rebuilding, expansion or acquisition of sewers or other
1202 pollution abatement facilities and where the carrying out of such
1203 construction, rebuilding, expansion or acquisition requires the
1204 temporary or permanent readjustment, relocation or removal of a
1205 public service facility from a street or public right-of-way, the
1206 municipality shall issue an appropriate order to the company owning
1207 or operating such facility and such company shall permanently or

1208 temporarily readjust, relocate or remove such facility promptly in
1209 accordance with such order, provided an equitable share of the cost of
1210 such readjustment, relocation or removal of said public service facility,
1211 including the cost of installing and constructing a facility equal in
1212 capacity in a new location, shall be borne by the municipality. Such
1213 equitable share shall be one hundred per cent of such cost after the
1214 deductions hereinafter provided. In establishing the equitable share of
1215 the cost to be borne by the municipality, there shall be deducted from
1216 the cost of the readjusted, relocated or removed facilities a sum based
1217 on a consideration of the value of materials salvaged from existing
1218 installations, the cost of the original installation, the life expectancy of
1219 the original facility and the unexpired term of such useful life. For the
1220 purposes of determining the equitable share of the cost of such
1221 readjustment, relocation or removal, the books and records of the
1222 company shall be available for the inspection of the municipality.
1223 When any facility is removed from a street or public right-of-way to a
1224 private right-of-way, the municipality shall not pay for such right-of-
1225 way. If the municipality and the company owning or operating such
1226 facility cannot agree upon the share of the cost to be borne by the
1227 municipality, either may apply to the superior court for the judicial
1228 district in which the street or public right-of-way is situated or, if the
1229 court is not in session, to any judge thereof for a determination of the
1230 cost to be borne by the municipality, and such court or judge after
1231 causing notice of the pendency of such application to be given to the
1232 other party, shall appoint a state referee to make such determination.
1233 Such referee, having given at least ten days' notice to the parties
1234 interested of the time and place of the hearing, shall hear both parties,
1235 shall take such testimony as such referee may deem material and shall
1236 thereupon determine the amount of the cost to be borne by the
1237 municipality and forthwith report to the court. If the report is accepted
1238 by the court, such determination shall, subject to right of appeal as in
1239 civil actions, be conclusive upon such parties. As used in this section,
1240 "public service facility" includes any sewer, pipe, main, conduit, cable,
1241 wire, tower, building or a utility appliance owned or operated by an
1242 electric <u>distribution</u>, gas, telephone, **[**telegraph,**]** water or community

1243 antenna television service company.

1244 Sec. 35. Subsection (a) of section 29-19 of the general statutes is
1245 repealed and the following is substituted in lieu thereof (*Effective from*
1246 *passage*):

1247 (a) The Commissioner of Emergency Services and Public Protection
1248 may, upon the application of any electric distribution, gas, telephone **[**,
1249 telegraph**]** or water company owning, leasing, maintaining, managing
1250 or controlling any property, plant or equipment in this state,
1251 commission, during his pleasure, one or more persons designated by
1252 such company who, having been sworn, may act at the expense of such
1253 company as policemen upon the premises used or occupied by such
1254 company in its business, or upon any highway adjacent to such
1255 premises, for the proper protection of such plant or property, and each
1256 policeman so appointed may arrest and take before some proper
1257 authority any person in his precinct for any offense committed therein.
1258 Said commissioner may exercise such supervision and direction over
1259 any policeman appointed as herein provided as he deems necessary.
1260 When any such commission is issued or revoked, said commissioner
1261 shall notify the clerk of the superior court for each judicial district in
1262 which it is intended that such policeman shall act.

1263 Sec. 36. Section 31-16 of the general statutes is repealed and the
1264 following is substituted in lieu thereof (*Effective from passage*):

1265 No person under the age of eighteen years shall be employed by
1266 any **[**telegraph or**]** messenger company, in cities having a population of
1267 twenty thousand or over, to distribute, transmit or deliver goods or
1268 messages between the hours of ten o'clock at night and five o'clock in
1269 the morning. The manager of the office of any corporation who
1270 violates any provision of this section shall be fined not more than fifty
1271 dollars for each day of such employment. The provisions of this section
1272 shall not apply to persons under the age of eighteen who have
1273 graduated from a secondary educational institution.

1274 Sec. 37. Subsection (g) of section 32-224 of the 2014 supplement to
1275 the general statutes is repealed and the following is substituted in lieu
1276 thereof (*Effective from passage*):

1277 (g) As used in this subsection, "public service facility" includes any
1278 sewer, pipe, main conduit, cable, wire, pole, tower, building or utility
1279 appliance owned or operated by an electric distribution, gas, telephone
1280 **[**, telegraph**]** or water company. Whenever an implementing agency
1281 determines that the closing of any street or public right-of-way is
1282 provided for in a development plan adopted and approved in
1283 accordance with sections 32-220 to 32-234, inclusive, or where the
1284 carrying out of such a development plan, including the construction of
1285 new improvements, requires the temporary or permanent
1286 readjustment, relocation or removal of a public service facility from a
1287 street or public right-of-way, the implementing agency shall issue an
1288 appropriate order to the company owning or operating such facility.
1289 Such company shall permanently or temporarily readjust, relocate or
1290 remove the public service facility promptly in accordance with such
1291 order, provided an equitable share of the cost of such readjustment,
1292 relocation or removal, including the cost of installing and constructing
1293 a facility of equal capacity in a new location, shall be borne by the
1294 implementing agency. Such equitable share shall be fifty per cent of
1295 such cost after the deduction hereinafter provided. In establishing the
1296 equitable share of the cost to be borne by the implementing agency,
1297 there shall be deducted from the cost of the readjusted, relocated or
1298 removed facilities a sum based on a consideration of the value of
1299 materials salvaged from existing installations, the cost of the original
1300 installation, the life expectancy of the original facility and the
1301 unexpired term of such life use. The books and records of the company
1302 shall be made available for inspection by the implementing agency to
1303 determine the equitable share of the cost of such readjustment,
1304 relocation or removal. When any facility is removed from a street or
1305 public right-of-way to a private right-of-way, the implementing agency
1306 shall not pay for such private right-of-way. If the implementing agency
1307 and the company owning or operating such facility cannot agree upon

1308 the share of the cost to be borne by the implementing agency, such
1309 agency or the company may apply to the superior court for the judicial
1310 district within which the street or public right-of-way is situated, or, if
1311 the court is not in session, to any judge thereof, for a determination of
1312 the cost to be borne by the implementing agency. The court or the
1313 judge, after causing notice of the pendency of such application to be
1314 given to the other party, shall appoint a state referee to make such
1315 determination. The referee, having given at least ten days' notice to the
1316 interested parties of the time and place of the hearing, shall hear both
1317 parties, take such testimony as he may deem material and thereupon
1318 determine the amount of the cost to be borne by the implementing
1319 agency. The referee shall immediately report the amount to the court.
1320 If the report is accepted by the court, such determination shall, subject
1321 to right of appeal as in civil actions, be conclusive upon such parties.

1322 Sec. 38. Subsection (b) of section 33-645 of the general statutes is
1323 repealed and the following is substituted in lieu thereof (*Effective from*
1324 *passage*):

1325 (b) No corporation formed under sections 33-600 to 33-998,
1326 inclusive, shall have power to transact in this state the business of a
1327 **[**telegraph company,**]** gas, **[**electric,**]** electric distribution or water
1328 company, or cemetery corporation, or of any company, except a
1329 telephone company, requiring the right to take and condemn lands or
1330 to occupy the public highways of this state.

1331 Sec. 39. Subsection (a) of section 33-920 of the general statutes is
1332 repealed and the following is substituted in lieu thereof (*Effective from*
1333 *passage*):

1334 (a) A foreign corporation, other than an insurance, surety or
1335 indemnity company, may not transact business in this state until it
1336 obtains a certificate of authority from the Secretary of the State. No
1337 foreign corporation engaged in the business of a **[**telegraph company,**]**
1338 gas, **[**electric,**]** electric distribution or water company, or cemetery
1339 corporation, or of any company requiring the right to take and

1340 condemn lands or to occupy the public highways of this state, and no
1341 foreign telephone company, shall transact in this state the business
1342 authorized by its certificate of incorporation or by the laws of the state
1343 under which it was organized, unless empowered so to do by some
1344 general or special act of this state, except for the purpose of carrying
1345 out and renewing contracts existing upon August 1, 1903. No
1346 insurance, surety or indemnity company shall transact business in this
1347 state until it has procured a license from the Insurance Commissioner
1348 in accordance with the provisions of section 38a-41.

1349 Sec. 40. Subsection (b) of section 33-1035 of the general statutes is
1350 repealed and the following is substituted in lieu thereof (*Effective from*
1351 *passage*):

1352 (b) Except as provided in subsection (f) of this section, no
1353 corporation formed under sections 33-1000 to 33-1290, inclusive, shall,
1354 or shall have power to, transact in this state the business of an
1355 insurance company or a surety or indemnity company, railroad
1356 company, **[**telegraph company,**]** gas, **[**electric,**]** electric distribution or
1357 water company, or of any company requiring the right to take and
1358 condemn lands or to occupy the public highways of this state.

1359 Sec. 41. Subsection (a) of section 33-1210 of the general statutes is
1360 repealed and the following is substituted in lieu thereof (*Effective from*
1361 *passage*):

1362 (a) A foreign corporation, other than an insurance, surety or
1363 indemnity company, may not conduct affairs in this state until it
1364 obtains a certificate of authority from the Secretary of the State. No
1365 foreign corporation conducting the affairs of a state bank and trust
1366 company, savings bank or building and loan association, railroad
1367 company, **[**telegraph company,**]** gas, **[**electric,**]** electric distribution or
1368 water company, or of any company requiring the right to take and
1369 condemn lands or to occupy the public highways of this state, and no
1370 foreign telephone company, shall conduct in this state affairs
1371 authorized by its certificate of incorporation or by the laws of the state

1372 under which it was organized, unless empowered so to do by some
1373 general or special act of this state, except for the purpose of carrying
1374 out and renewing contracts existing upon August 1, 1903. No
1375 insurance, surety or indemnity company shall conduct affairs in this
1376 state until it has procured a license from the Insurance Commissioner
1377 in accordance with the provisions of section 38a-41.

1378 Sec. 42. Subsection (d) of section 34-119 of the general statutes is
1379 repealed and the following is substituted in lieu thereof (*Effective from*
1380 *passage*):

1381 (d) No limited liability company formed under sections 34-100 to 34-
1382 242, inclusive, shall have power to transact in this state the business of
1383 a **[**telegraph company,**]** gas, **[**electric,**]** electric distribution or water
1384 company, or cemetery corporation, or of any company, except a
1385 telephone company, requiring the right to take and condemn lands or
1386 to occupy the public highways of this state.

1387 Sec. 43. Section 52-380b of the general statutes is repealed and the
1388 following is substituted in lieu thereof (*Effective from passage*):

1389 Any property of any **[**telegraph,**]** telephone **[**, electric**]** or electric
1390 distribution company, or association engaged in distributing electricity
1391 by wires or similar conductors, attached or liable to attachment under
1392 the provisions of section 52-287, <u>as amended by this act,</u> may be
1393 subjected to a lien by any person holding the legal title to an
1394 unsatisfied judgment, whether by assignment or otherwise, against the
1395 company or association, provided the creditor shall file a certificate in
1396 writing in the office of the Secretary of the State in the form provided
1397 in section 52-380a. If the lien is placed upon the property attached in
1398 the suit upon which the judgment was predicated and within four
1399 months after the judgment was rendered, it shall hold from the date of
1400 the attachment. Any such lien may be foreclosed or redeemed in the
1401 same manner as mortgages upon real property.

1402 Sec. 44. Subsection (b) of section 8-37jj of the general statutes is

1403 repealed and the following is substituted in lieu thereof (*Effective from*
1404 *passage*):

1405 (b) If the Department of Housing or the Connecticut Housing
1406 Finance Authority uses electric resistance space heating as the primary
1407 heating source in any new construction, it shall construct the unit in
1408 such a way as to be eligible for any available energy conservation
1409 incentives provided by the electric distribution company, as defined in
1410 section 16-1, as amended by this act, or the municipal utility furnishing
1411 electric service to such unit.

1412 Sec. 45. Subdivision (13) of subsection (b) of section 9-601a of the
1413 2014 supplement to the general statutes is repealed and the following
1414 is substituted in lieu thereof (*Effective from passage*):

1415 (13) The advance of a security deposit by an individual to a
1416 telephone company, as defined in section 16-1, as amended by this act,
1417 for telecommunications service for a committee or to another utility
1418 company, such as an electric distribution company, provided the
1419 security deposit is refunded to the individual;

1420 Sec. 46. Subparagraph (A) of subdivision (20) of subsection (a) of
1421 section 12-213 of the general statutes is repealed and the following is
1422 substituted in lieu thereof (*Effective from passage*):

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

located in this state through the use of the transmission or distribution facilities of an electric distribution company, as defined in section 16-1, as amended by this act; **[**, or, until unbundled in accordance with section 16-244e, electric company, as defined in section 16-1;**]**

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

(b) (1) Each company and municipal utility included in section 12-264, other than an electric distribution company, as defined in section 16-1, as amended by this act, included in subsection (c) of section 12-264, and other than a municipality, or department or agency thereof, or district manufacturing, selling or distributing electricity to be used for light, heat or power, shall be taxed at the rate of five per cent upon the amount of gross earnings in each taxable quarter from operations, except as set forth in subsection (c) or (d) of this section and except that each company and municipal utility manufacturing, selling or distributing gas or electricity to be used for light, heat or power shall be taxed at the rate of four per cent upon the amount of gross earnings in each taxable quarter allocable to residential service, but deduction shall be made of gross earnings (A) from all sales for resale of water, steam, gas and electricity to public service corporations and municipal utilities, whether or not such purchasers are Connecticut public service corporations or Connecticut municipal utilities, and whether or not they are subject to the tax imposed by this chapter, (B) from any federal BTU energy tax included in adjustment clause and base-rate revenues, (C) from sales of appliances using water, steam, gas or electricity by each such company of the net invoice price plus transportation costs of such appliances, (D) of electric distribution and gas companies, as defined in section 16-1, as amended by this act, from energy conservation loan programs, (E) from all sales for resale of gas to companies registered pursuant to section 16-258a, and (F) from all sales of natural gas to a user or entity located outside the state.

(2) Gross earnings for any taxable quarter, for the purposes of

1467 assessment and taxation, shall be as follows: (A) In the case of a
1468 company or municipal utility, other than a municipality, or
1469 department or agency thereof, or district manufacturing, selling or
1470 distributing electricity to be used for light, heat or power, carrying on
1471 business or operating entirely within this state, the amount of gross
1472 earnings from operations; (B) in the case of a company or municipal
1473 utility, other than a municipality, or department or agency thereof, or
1474 district manufacturing, selling or distributing electricity to be used for
1475 light, heat or power, carrying on business or operations a part of which
1476 is outside of this state, (i) such portion of the amount of gross earnings
1477 from operations determined under the provisions of section 12-264 as
1478 is represented by the ratio of the number of miles of water or steam
1479 pipes, gas mains or electric wires operated by such company or
1480 municipal utility within this state on the first day and on the last day
1481 of the calendar year immediately preceding to the total number of
1482 miles of water or steam pipes, gas mains or electric wires operated by
1483 such company or municipal utility on said dates; or (ii) in the case of a
1484 company required to register pursuant to section 16-258a, such portion
1485 of the amount of gross earnings from operations determined under the
1486 provisions of section 12-264 as is represented by the ratio of the sales in
1487 this state to end users during such quarter to the total sales
1488 everywhere to end users during such quarter.

1489 Sec. 48. Subdivision (4) of subsection (b) of section 16-8 of the 2014
1490 supplement to the general statutes is repealed and the following is
1491 substituted in lieu thereof (*Effective from passage*):

1492 (4) A complete audit of each portion of each gas **[**, electric**]** <u>company</u>
1493 or electric distribution company having more than seventy-five
1494 thousand customers shall begin no less frequently than every six years,
1495 so that a complete audit of such a company's operations shall be
1496 performed every six years. Such an audit of each such company having
1497 more than seventy-five thousand customers shall be updated as
1498 required by the authority.

1499 Sec. 49. Subsection (a) of section 16-11a of the general statutes is

1500 repealed and the following is substituted in lieu thereof (*Effective from*
1501 *passage*):

1502 (a) There is established a Nuclear Energy Advisory Council which
1503 shall (1) hold regular public meetings for the purpose of discussing
1504 issues relating to the safety and operation of the nuclear power
1505 generating facilities located in this state and to advise the Governor,
1506 the General Assembly and municipalities within a five-mile radius of
1507 any nuclear power generating facility in this state of such issues, (2)
1508 work in conjunction with agencies of the federal, state and local
1509 governments **[**and with any electric company operating a nuclear
1510 power generating facility**]** to ensure the public health and safety, (3)
1511 discuss proposed changes in or problems arising from the operation of
1512 a nuclear power generating facility, (4) communicate with any
1513 **[**electric**]** company operating a nuclear power generating facility about
1514 safety or operational concerns at the facility, which communications
1515 may include, but not be limited to, receipt of written reports and
1516 presentations to the council, and (5) review the current status of
1517 facilities with the Nuclear Regulatory Commission.

1518 Sec. 50. Subsection (a) of section 16-19 of the 2014 supplement to the
1519 general statutes is repealed and the following is substituted in lieu
1520 thereof (*Effective from passage*):

1521 (a) No public service company may charge rates in excess of those
1522 previously approved by the Public Utilities Control Authority or the
1523 Public Utilities Regulatory Authority, except that any rate approved by
1524 the Public Utilities Commission, the Public Utilities Control Authority
1525 or the Public Utilities Regulatory Authority shall be permitted until
1526 amended by the Public Utilities Regulatory Authority, that rates not
1527 approved by the Public Utilities Regulatory Authority may be charged
1528 pursuant to subsection (b) of this section, and that the hearing
1529 requirements with respect to adjustment clauses are as set forth in
1530 section 16-19b<u>, as amended by this act</u>. For water companies, existing
1531 rates shall include the amount of any adjustments approved pursuant
1532 to section 16-262w since the company's most recent general rate case,

1533 provided any adjustment amount shall be separately identified in any
1534 customer bill. Each public service company shall file any proposed
1535 amendment of its existing rates with the authority in such form and in
1536 accordance with such reasonable regulations as the authority may
1537 prescribe. Each [electric,] electric distribution, gas or telephone
1538 company filing a proposed amendment shall also file with the
1539 authority an estimate of the effects of the amendment, for various
1540 levels of consumption, on the household budgets of high and
1541 moderate income customers and customers having household incomes
1542 not more than one hundred fifty per cent of the federal poverty level.
1543 Each [electric and] electric distribution company shall also file such an
1544 estimate for space heating customers. Each water company, except a
1545 water company that provides water to its customers less than six
1546 consecutive months in a calendar year, filing a proposed amendment,
1547 shall also file with the authority a plan for promoting water
1548 conservation by customers in such form and in accordance with a
1549 memorandum of understanding entered into by the authority
1550 pursuant to section 4-67e. Each public service company shall notify
1551 each customer who would be affected by the proposed amendment, by
1552 mail, at least one week prior to the first public hearing thereon, but not
1553 earlier than six weeks prior to such first public hearing, that an
1554 amendment has been or will be requested. Such notice shall also
1555 indicate (1) the date, time and location of any scheduled public
1556 hearing, (2) a statement that customers may provide written comments
1557 regarding the proposed amendment to the Public Utilities Regulatory
1558 Authority or appear in person at any scheduled public hearing, (3) the
1559 Public Utilities Regulatory Authority telephone number for obtaining
1560 information concerning the schedule for public hearings on the
1561 proposed amendment, and (4) whether the proposed amendment
1562 would, in the company's best estimate, increase any rate or charge by
1563 twenty per cent or more, and, if so, describe in general terms any such
1564 rate or charge and the amount of the proposed increase, provided no
1565 such company shall be required to provide more than one form of the
1566 notice to each class of its customers. In the case of a proposed
1567 amendment to the rates of any public service company, the authority

1568 shall hold one or more public hearings thereon, except as permitted
1569 with respect to interim rate amendments by subsections (d) and (g) of
1570 this section, and shall make such investigation of such proposed
1571 amendment of rates as is necessary to determine whether such rates
1572 conform to the principles and guidelines set forth in section 16-19e, as
1573 amended by this act, or are unreasonably discriminatory or more or
1574 less than just, reasonable and adequate, or that the service furnished by
1575 such company is inadequate to or in excess of public necessity and
1576 convenience. The authority, if in its opinion such action appears
1577 necessary or suitable in the public interest may, and, upon written
1578 petition or complaint of the state, under direction of the Governor,
1579 shall, make the aforesaid investigation of any such proposed
1580 amendment which does not involve an alteration in rates. If the
1581 authority finds any proposed amendment of rates to not conform to
1582 the principles and guidelines set forth in section 16-19e, as amended by
1583 this act, or to be unreasonably discriminatory or more or less than just,
1584 reasonable and adequate to enable such company to provide properly
1585 for the public convenience, necessity and welfare, or the service to be
1586 inadequate or excessive, it shall determine and prescribe, as
1587 appropriate, an adequate service to be furnished or just and reasonable
1588 maximum rates and charges to be made by such company. In the case
1589 of a proposed amendment filed by an **[**electric,**]** electric distribution,
1590 gas or telephone company, the authority shall also adjust the estimate
1591 filed under this subsection of the effects of the amendment on the
1592 household budgets of the company's customers, in accordance with the
1593 rates and charges approved by the authority. The authority shall issue
1594 a final decision on each rate filing within one hundred fifty days from
1595 the proposed effective date thereof, provided it may, before the end of
1596 such period and upon notifying all parties and intervenors to the
1597 proceedings, extend the period by thirty days.

1598 Sec. 51. Section 16-19a of the general statutes is repealed and the
1599 following is substituted in lieu thereof (*Effective from passage*):

1600 (a) (1) The Public Utilities Regulatory Authority shall, at intervals of

1601 not more than four years from the last previous general rate hearing of
1602 each gas [, electric] and electric distribution company having more
1603 than seventy-five thousand customers, conduct a complete review and
1604 investigation of the financial and operating records of each such
1605 company and hold a public hearing to determine whether the rates of
1606 each such company are unreasonably discriminatory or more or less
1607 than just, reasonable and adequate, or that the service furnished by
1608 such company is inadequate to or in excess of public necessity and
1609 convenience or that the rates do not conform to the principles and
1610 guidelines set forth in section 16-19e, as amended by this act. In
1611 making such determination, the authority shall consider the gross and
1612 net earnings of such company since its last previous general rate
1613 hearing, its retained earnings, its actual and proposed capital
1614 expenditures, its advertising expenses, the dividends paid to its
1615 stockholders, the rate of return paid on its preferred stock, bonds,
1616 debentures and other obligations, its credit rating, and such other
1617 financial and operating information as the authority may deem
1618 pertinent.

1619 (2) The authority may conduct a general rate hearing in accordance
1620 with subsection (a) of section 16-19, as amended by this act, in lieu of
1621 the periodic review and investigation proceedings required under
1622 subdivision (1) of this subsection.

1623 (b) In the proceeding required under subdivision (1) of subsection
1624 (a) of this section, the authority may approve performance-based
1625 incentives to encourage a gas or electric distribution company to
1626 operate efficiently and provide high quality service at fair and
1627 reasonable prices. Notwithstanding subsection (a) of this section, if the
1628 authority approves such performance-based incentives for a particular
1629 company, the authority shall include in such approval a framework for
1630 periodic monitoring and review of the company's performance in
1631 regard to criteria specified by the authority, which shall include, but
1632 not be limited to, the company's return on equity, reliability and
1633 quality of service. The authority's periodic monitoring and review shall

1634 be used in lieu of the periodic review and investigation proceedings
1635 required under subdivision (1) of subsection (a) of this section. If the
1636 authority determines in the periodic monitoring and review that a
1637 more extensive review of company performance is necessary, the
1638 authority may institute a further proceeding in accordance with the
1639 purposes of this chapter, including a complete review and
1640 investigation described in subdivision (1) of subsection (a) of this
1641 section.

1642 Sec. 52. Subsection (c) of section 16-19b of the 2014 supplement to
1643 the general statutes is repealed and the following is substituted in lieu
1644 thereof (*Effective from passage*):

1645 (c) If the authority, after notice and hearing, determines that the
1646 adoption of an energy adjustment clause would protect the interests of
1647 ratepayers of an electric distribution company, ensure economy and
1648 efficiency in energy production and purchase by the electric
1649 distribution company and achieve the objectives set forth in subsection
1650 (a) of section 16-19, as amended by this act, and in section 16-19e, as
1651 amended by this act, better than would the continued operation of a
1652 fuel adjustment clause and a generation utilization adjustment clause,
1653 the authority shall approve an energy adjustment clause to be
1654 superimposed upon the existing rate schedule of the electric
1655 distribution company. The authority shall design any such energy
1656 adjustment clause to reflect cost-efficient energy resource procurement
1657 and to recover the costs of energy that are proper for rate-making
1658 purposes and for which the authority has not authorized recovery
1659 through base rates. These costs, reflecting prudent and efficient
1660 management and operations, may include, but are not limited to, the
1661 costs of oil, gas, coal, nuclear fuel, wood or other fuels, and energy
1662 transactions with other utilities, nonutility generators or power pools,
1663 all or part of the cost of conservation and load management, and the
1664 gross earnings tax imposed by section 12-264 on the revenues from the
1665 energy sources subject to the energy adjustment clause. The authority
1666 shall design the energy adjustment clause to provide for recovery of

1667 energy costs prudently incurred by an electric distribution company in
1668 accordance with section 16-19e, as amended by this act.
1669 Notwithstanding the provisions of section 16-19, as amended by this
1670 act, the authority shall change an energy adjustment clause in
1671 accordance with the provisions of subsections (e) and (h) of this
1672 section. An energy adjustment clause approved pursuant to this
1673 section shall apply to all electric distribution companies similarly
1674 affected by the costs which form the basis for the adjustment clause.

1675 Sec. 53. Subsection (e) of section 16-19b of the 2014 supplement to
1676 the general statutes is repealed and the following is substituted in lieu
1677 thereof (*Effective from passage*):

1678 (e) No proposed purchased gas adjustment, energy adjustment
1679 charge or credit or transmission rate shall become effective until the
1680 Public Utilities Regulatory Authority has approved such charges or
1681 credits pursuant to an administrative proceeding. Such an
1682 administrative proceeding shall be open to the public and shall be
1683 convened within ten days of the filing of an application by an electric
1684 distribution or gas company requesting such a proceeding. Notice of
1685 such application and proceeding shall be published at least five days
1686 prior to such proceeding in a newspaper of general circulation in the
1687 area served by such company. The authority shall receive and consider
1688 comments of interested persons and members of the public at such a
1689 proceeding, which shall not be considered a contested case for
1690 purposes of title 4, this title or any regulation adopted thereunder. Any
1691 approval or denial of the authority pursuant to this subsection shall
1692 not be deemed an order, authorization or decision of the authority for
1693 purposes of section 16-35. After notice and hearing, the authority shall
1694 adopt regulations, in accordance with chapter 54, which shall include
1695 the requirements of the filing to support the requested charge or credit.
1696 Notwithstanding the provisions of this section, in the event that the
1697 authority has not rendered an approval or denial concerning any such
1698 application within five days of the day the administrative proceeding
1699 shall have been convened, the proposed charges or credits (1) shall

1700 become effective at the option of the company pending the authority's
1701 finding with respect to such charges, or (2) in the discretion of the
1702 authority, may become effective upon the filing by the company with
1703 the authority of an assurance. Such assurance may include a bond with
1704 surety, and shall satisfy the authority of the company's ability and
1705 willingness to refund to its customers any such amounts as the
1706 company may collect from them in excess of the charges approved by
1707 the authority in its finding.

1708 Sec. 54. Subsections (j) to (l), inclusive, of section 16-19b of the 2014
1709 supplement to the general statutes are repealed and the following is
1710 substituted in lieu thereof (*Effective from passage*):

1711 (j) Any purchased gas adjustment clause or energy adjustment
1712 clause approved by the authority may include a provision designed to
1713 allow the electric distribution or gas company to charge or reimburse
1714 the customer for any under-recovery or over-recovery of overhead and
1715 fixed costs due solely to the deviation of actual retail sales of electricity
1716 or gas from projected retail sales of electricity or gas. The authority
1717 shall include such provision in any energy adjustment clause approved
1718 for an electric distribution company if it determines (1) that a
1719 significant cause of excess earnings by the electric distribution
1720 company is an increase in actual retail sales of electricity over projected
1721 retail sales of electricity as determined at the time of the electric
1722 distribution company's most recent rate amendment, and (2) that such
1723 provision is likely to benefit the customers of the electric distribution
1724 company.

1725 **[**(k) Notwithstanding the provisions of this section, an approved
1726 fossil fuel adjustment clause or generation utilization adjustment
1727 clause in effect for an electric company on July 1, 1995, shall remain in
1728 effect in its form and method of operation as of said date until the
1729 authority has approved an energy adjustment clause for the company
1730 and the approved energy adjustment clause is in effect.**]**

1731 **[**(l)**]** (k) Notwithstanding the provisions of this section, upon the

application of any gas company, the authority may modify, suspend or discontinue a purchased gas adjustment clause for one or more gas companies if the authority determines that as part of an overall performance-based rate plan, such modification, suspension or discontinuance will ensure safety and reliability, will provide substantial financial benefits to ratepayers at least equal to those provided to the gas company and will lower the rates below what they would be without such modification, suspension or discontinuance, as determined by the authority.

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

(b) The cost of political, institutional or promotional advertising of any gas **[**, electric**]** company or electric distribution company and the cost of political or institutional advertising of any telephone company shall not be deemed to be an operating expense in any rate schedule proceedings held pursuant to section 16-19, as amended by this act. For the purposes of this section, political, institutional or promotional advertising shall not be deemed to include reasonable expenditures for (1) the publication or distribution of existing or proposed tariffs or rate schedules; (2) notices required by law or regulation; (3) public information regarding service interruptions, safety measures, emergency conditions, employment opportunities or the means by which customers can conserve energy or make efficient and economical use of service; (4) the promotion or marketing of efficient gas and electric equipment which the Public Utilities Regulatory Authority determines: (A) Is consistent with the state's energy policy; (B) is consistent with integrated resource planning principles; (C) provides net economic benefit to such company's customers; and (D) shall not have the primary purpose of promoting one fuel over another; or (5) advertising by a gas company that is necessary as a result of competition created by actions and decisions of the Federal Energy Regulatory Commission and the Public Utilities Regulatory

1765 Authority. Such advertising shall be limited to the express purpose of
1766 promoting gas companies in competition with other providers and
1767 marketers of natural gas. Such advertising shall not include any
1768 promotions, cash, equipment, installation or service subsidies for the
1769 conversion to natural gas from any other energy source.

1770 Sec. 56. Subsection (f) of section 16-19d of the general statutes is
1771 repealed and the following is substituted in lieu thereof (*Effective from*
1772 *passage*):

1773 (f) Each gas **[**, electric**]** or electric distribution company shall
1774 conspicuously indicate in all of its advertising whether the costs of the
1775 advertising are being paid for by the company's shareholders, its
1776 customers or both.

1777 Sec. 57. Subsections (b) to (d), inclusive, of section 16-19e of the 2014
1778 supplement to the general statutes are repealed and the following is
1779 substituted in lieu thereof (*Effective from passage*):

1780 (b) The Public Utilities Regulatory Authority shall promptly
1781 undertake a separate, general investigation of, and shall hold at least
1782 one public hearing on new pricing principles and rate structures for
1783 electric distribution companies and for gas companies to consider,
1784 without limitation, long run incremental cost of marginal cost pricing,
1785 peak load or time of day pricing and proposals for optimizing the
1786 utilization of energy and restraining its wasteful use and encouraging
1787 energy conservation, and any other matter with respect to pricing
1788 principles and rate structures as the authority shall deem appropriate.
1789 The authority shall determine whether existing or future rate
1790 structures place an undue burden upon those persons of poverty
1791 status and shall make such adjustment in the rate structure as is
1792 necessary or desirable to take account of their indigency. The authority
1793 shall require the utilization of such new principles and structures to
1794 the extent that the authority determines that their implementation is in
1795 the public interest, as identified by the Department of Energy and
1796 Environmental Protection in the Integrated Resources Plan and the

1797 Comprehensive Energy Strategy, and necessary or desirable to
1798 accomplish the purposes of this provision without being unfair or
1799 discriminatory or unduly burdensome or disruptive to any group or
1800 class of customers, and determines that such principles and structures
1801 are capable of yielding required revenues. In reviewing the rates and
1802 rate structures of electric and gas companies, the authority shall be
1803 guided by the goals of the Department of Energy and Environmental
1804 Protection, as described in section 22a-2d, the Comprehensive Energy
1805 Strategy, the Integrated Resources Plan and the Conservation and
1806 Load Management Plan. The authority shall issue its initial findings on
1807 such investigation by December 1, 1976, and its final findings and
1808 order by June 1, 1977; provided that after such final findings and order
1809 are issued, the authority shall at least once every two years undertake
1810 such further investigations as it deems appropriate with respect to new
1811 developments or desirable modifications in pricing principles and rate
1812 structures and, after holding at least one public hearing thereon, shall
1813 issue its findings and order thereon.

1814 (c) The Department of Energy and Environmental Protection shall
1815 coordinate and integrate its actions, decisions and policies pertaining
1816 to gas and electric distribution companies, so far as possible, with the
1817 actions, decisions and policies of other agencies and instrumentalities
1818 in order to further the development and optimum use of the state's
1819 energy resources and conform to the greatest practicable extent with
1820 the state energy policy as stated in section 16a-35k, the Comprehensive
1821 Energy Strategy and the Integrated Resources Plan taking into account
1822 prudent management of the natural environment and continued
1823 promotion of economic development within the state. The department
1824 shall defer, as appropriate, to any actions taken by other agencies and
1825 instrumentalities on matters within their respective jurisdictions.

1826 (d) The Commissioner of Energy and Environmental Protection, the
1827 Commissioner of Economic and Community Development, and the
1828 Connecticut Siting Council may be made parties to each proceeding on
1829 a rate amendment proposed by a gas **[**, electric**]** or electric distribution

company and shall participate in such proceedings to the extent necessary.

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

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

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

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

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

(a) Notwithstanding any provisions of the general statutes to the contrary, each **[**electric company or**]** electric distribution company shall allow the installation of submeters at (1) a recreational campground, (2) individual slips at marinas for metering the electric use by individual boat owners, (3) commercial, industrial, multifamily residential or multiuse buildings where the electric power or thermal energy is provided by a Class I renewable energy source, as defined in section 16-1, <u>as amended by this act,</u> or a combined heat and power system, as defined in section 16-1, <u>as amended by this act,</u> or (4) in any

1861 other location as approved by the authority where submetering
1862 promotes the state's energy goals, as described in the Comprehensive
1863 Energy Strategy, while protecting consumers against termination of
1864 residential utility service or other related issues. Each entity approved
1865 to submeter by the Public Utilities Regulatory Authority, pursuant to
1866 subsection (c) of this section, shall provide electricity to any allowed
1867 facility, as described in this subsection, at a rate no greater than the
1868 rate charged to that customer class for the service territory in which
1869 such allowed facility is located, provided nothing in this section shall
1870 permit such entity to charge a submetered account for (A) usage for
1871 any common areas of a commercial, industrial or multifamily
1872 residential building, or (B) other usage not solely for use by such
1873 account.

1874 Sec. 61. Subsection (b) of section 16-19hh of the 2014 supplement to
1875 the general statutes is repealed and the following is substituted in lieu
1876 thereof (*Effective from passage*):

1877 (b) Notwithstanding the provisions of subsection (a) of this section,
1878 an **[**electric company or**]** electric distribution company that (1)
1879 renegotiates, extends or renews any special contract for electric service
1880 that is in effect on July 1, 2000, and has a term that expires prior to July
1881 1, 2000, for a term that extends beyond June 30, 2000, or (2) enters into
1882 any new special contracts for electric service, shall provide in any such
1883 renegotiated, extended, renewed or new contract for the collection of
1884 the assessment required under section 16-245g<u>, as amended by this act,</u>
1885 as provided in said section 16-245g and for the collection of the charge
1886 required in section 16-245*l*<u>, as amended by this act,</u> as provided in said
1887 section 16-245*l*, provided no such contract shall shift costs to other
1888 ratepayers.

1889 Sec. 62. Subsections (a) and (b) of section 16-19kk of the 2014
1890 supplement to the general statutes are repealed and the following is
1891 substituted in lieu thereof (*Effective from passage*):

1892 (a) The General Assembly finds that if the earnings of electric, gas,

1893 telephone and water public service companies, as defined in section
1894 16-1, as amended by this act, are adversely affected by such companies'
1895 conservation and load management programs or other programs
1896 promoting the state's economic development, energy and other policy,
1897 those companies will have a disincentive to implement such programs.
1898 The General Assembly further finds that in order to further the
1899 implementation of such programs the earnings of electric, gas,
1900 telephone and water public service companies should be consistent
1901 with the principles and guidelines set forth in this section and sections
1902 16-19e, as amended by this act, and **[**16-19kk**]** 16-19*ll* to 16-19oo,
1903 inclusive, as amended by this act, and 16a-49 notwithstanding
1904 participation in conservation and load management programs and
1905 other programs authorized by the Public Utilities Regulatory
1906 Authority, promoting the state's economic development, energy and
1907 other policy.

1908 (b) **[**The authority shall complete, on or before December 31, 1991,
1909 an investigation into the relationship between a company's volume of
1910 sales and its earnings.**]** The authority shall, on or before July 1, 1993,
1911 implement rate-making and other procedures and practices in order to
1912 encourage the implementation of conservation and load management
1913 programs and other programs authorized by the authority promoting
1914 the state's economic development, energy and other policy. Such
1915 procedures to implement a modification or elimination of any direct
1916 relationship between the volume of sales and the earnings of electric,
1917 gas, telephone and water public service companies may include the
1918 adoption of a sales adjustment clause pursuant to subsection (j) of
1919 section 16-19b, as amended by this act, or other adjustment clause
1920 similar thereto. **[**The authority's investigation shall include a review of
1921 its regulations and policies to identify any existing disincentives to the
1922 development and implementation of cost effective conservation and
1923 load management programs and other programs promoting the state's
1924 economic development, energy and other policy.**]**

1925 Sec. 63. Section 16-19oo of the 2014 supplement to the general

1926 statutes is repealed and the following is substituted in lieu thereof
1927 (*Effective from passage*):

1928 In order to promote an electric distribution, gas, telephone and
1929 water company's conservation and load management programs or
1930 other programs promoting the state's economic development, energy
1931 and other policy, the Public Utilities Regulatory Authority may
1932 approve rate amendments for any such company, pursuant to
1933 subsection (a) of section 16-19, as amended by this act, or, upon the
1934 request of a company in a proceeding, other than a rate proceeding
1935 pursuant to said subsection. Upon filing by a gas company of a natural
1936 gas infrastructure expansion plan in accordance with section 16-19ww,
1937 as amended by this act, the authority may approve in a contested
1938 proceeding new rate mechanisms to recover the costs of such plan.

1939 Sec. 64. Section 16-19rr of the general statutes is repealed and the
1940 following is substituted in lieu thereof (*Effective from passage*):

1941 Each **[**electric company, each**]** municipal electric utility established
1942 under chapter 101 and each electric utility owned, leased, maintained,
1943 operated, managed or controlled by any unit of local government
1944 under any general statute or special act shall, upon request, provide
1945 electricity and each electric distribution company shall, upon request,
1946 provide electric distribution services to military veterans' posts and
1947 organizations that are exempt from federal taxation under Section
1948 501(c) of the Internal Revenue Code of 1986, or any subsequent
1949 corresponding internal revenue code of the United States, as from time
1950 to time amended, at the lesser of the residential or commercial rate for
1951 the service territory in which the facility is located, provided such rates
1952 are not inconsistent with said chapter 101 or any municipal charter or
1953 ordinance adopted pursuant thereto, or with any such special act.

1954 Sec. 65. Section 16-19uu of the general statutes is repealed and the
1955 following is substituted in lieu thereof (*Effective from passage*):

1956 (a) At such time as economic recovery revenue bonds are issued to

1957 fund the economic recovery transfer, the Public Utilities Regulatory
1958 Authority shall ensure that the competitive transition assessment
1959 charged to customers of each **[**electric company or**]** electric distribution
1960 company is adjusted to reflect the lower charge to be paid by
1961 customers. No **[**electric company or**]** electric distribution company may
1962 bill any customer an amount for the competitive transition assessment
1963 that is in excess of the amount necessary to fund the economic
1964 recovery transfer.

1965 (b) At such time as the competitive transition assessment charged to
1966 customers has allowed full or partial recovery by the financing entity
1967 of any economic recovery revenue bonds and full or partial recovery
1968 by the **[**electric company or**]** electric distribution company of stranded
1969 costs not funded with the proceeds of economic recovery revenue
1970 bonds, the authority shall ensure that the competitive transition
1971 assessment charged to customers of each **[**electric company or**]** electric
1972 distribution company is adjusted to reflect, in the case of a partial
1973 recovery, the lower charge to be paid by customers, and, in the case of
1974 a full recovery, the absence of such assessment. No **[**electric company
1975 or**]** electric distribution company may bill any customer an amount for
1976 the competitive transition assessment that is in excess of the amount
1977 necessary to fund economic recovery revenue bonds or stranded costs.

1978 Sec. 66. Subsection (a) of section 16-32c of the general statutes is
1979 repealed and the following is substituted in lieu thereof (*Effective from*
1980 *passage*):

1981 (a) Notwithstanding the provisions of section 16-19, <u>as amended by</u>
1982 <u>this act,</u> a water company, as defined in section 16-1, <u>as amended by</u>
1983 <u>this act,</u> may charge rates in excess of or less than those approved by
1984 the Public Utilities Regulatory Authority, after a limited hearing as
1985 deemed appropriate by the authority, by adjusting existing rates to
1986 compensate for increases or decreases only in the company's following
1987 expenses: (1) The price of water purchased for redistribution to its
1988 customers from another water company or governmental authority
1989 whose rates have been adjusted; (2) the price of gas or electricity

1990 purchased from a gas [, electric] or electric distribution company,
1991 electric supplier or governmental authority whose rates have been
1992 adjusted; (3) federal, state and local taxes or other government
1993 assessments on revenue, income or property; (4) fees charged by any
1994 federal or state agency or other government entity that has jurisdiction
1995 over the company; (5) fees, or changes in fees, charged for federal and
1996 state mandated monitoring of the quality of the company's water
1997 supply; and (6) changes in expenses due to inflation that, in the
1998 opinion of the authority, are subject to an inflation adjustment in rate
1999 schedule proceedings held pursuant to section 16-19, as amended by
2000 this act. The amount of any adjustment of rates shall not exceed the
2001 aggregate net amount of increases and decreases in the expenses set
2002 forth in this subsection on an annualized basis, provided that such
2003 adjustment shall not cause the company's projected return on equity
2004 for the following twelve-month period to exceed the return on equity
2005 authorized in the company's most recent proceeding for an
2006 amendment of rates pursuant to section 16-19, as amended by this act.
2007 A company may adjust its rates pursuant to this section only (A) when
2008 the aggregate effect of increases or decreases in such expenses equals
2009 or exceeds one half of one per cent of the company's operating
2010 revenues for the twelve-month period commencing after the authority
2011 issued a decision on the company's most recent application for an
2012 amendment of rates pursuant to section 16-19, as amended by this act,
2013 and (B) once in any twelve-month period. A company shall not adjust
2014 its rates pursuant to this section in any twelve-month period following
2015 approval of an amendment of rates by the authority pursuant to
2016 section 16-19, as amended by this act.

2017 Sec. 67. Section 16-32g of the general statutes is repealed and the
2018 following is substituted in lieu thereof (*Effective from passage*):

2019 Not later than January 1, 2008, and annually thereafter, each [electric
2020 or] electric distribution company shall submit to the Public Utilities
2021 Regulatory Authority a plan for the maintenance of poles, wires,
2022 conduits or other fixtures, along public highways or streets for the

2023 transmission or distribution of electric current, owned, operated,
2024 managed or controlled by such company, in such format as the
2025 authority shall prescribe. Such plan shall include a summary of
2026 appropriate staffing levels necessary for the maintenance of said
2027 fixtures and a program for the trimming of tree branches and limbs
2028 located in close proximity to overhead electric wires where such
2029 branches and limbs may cause damage to such electric wires. The
2030 authority shall review each plan and may issue such orders as may be
2031 necessary to ensure compliance with this section. The authority may
2032 require each **[**electric or**]** electric distribution company to submit an
2033 updated plan at such time and containing such information as the
2034 authority may prescribe. The authority shall adopt regulations, in
2035 accordance with the provisions of chapter 54, to carry out the
2036 provisions of this section.

2037 Sec. 68. Subdivision (7) of subsection (d) of section 16-32h of the
2038 general statutes is repealed and the following is substituted in lieu
2039 thereof (*Effective from passage*):

2040 (7) Tree trimming, cutting and removal by each **[**electric company
2041 and**]** electric distribution company to reduce service outages caused by
2042 trees and limbs;

2043 Sec. 69. Section 16-47 of the general statutes is repealed and the
2044 following is substituted in lieu thereof (*Effective from passage*):

2045 (a) As used in this section and section 16-47a, (1) "holding company"
2046 means any corporation, association, partnership, trust or similar
2047 organization, or person which, either alone or in conjunction and
2048 pursuant to an arrangement or understanding with one or more other
2049 corporations, associations, partnerships, trusts or similar
2050 organizations, or persons, directly or indirectly, controls a gas,
2051 **[**electric,**]** electric distribution, water, telephone or community antenna
2052 television company, and (2) "control" means the possession of the
2053 power to direct or cause the direction of the management and policies
2054 of a gas, **[**electric,**]** electric distribution, water, telephone or community

2055 antenna television company or a holding company, whether through
2056 the ownership of its voting securities, the ability to effect a change in
2057 the composition of its board of directors or otherwise, provided,
2058 control shall not be deemed to arise solely from a revocable proxy or
2059 consent given to a person in response to a public proxy or consent
2060 solicitation made pursuant to and in accordance with the applicable
2061 rules and regulations of the Securities Exchange Act of 1934 unless a
2062 participant in said solicitation has announced an intention to effect a
2063 merger or consolidation with, reorganization, or other business
2064 combination or extraordinary transaction involving the gas, **[**electric,**]**
2065 electric distribution, water, telephone or community antenna television
2066 company or the holding company. Control shall be presumed to exist
2067 if a person directly or indirectly owns ten per cent or more of the
2068 voting securities of a gas, **[**electric,**]** electric distribution, water,
2069 telephone or community antenna television company or a holding
2070 company, provided the authority may determine, after conducting a
2071 hearing, that said presumption of control has been rebutted by a
2072 showing that such ownership does not in fact confer control.

2073 (b) No gas, **[**electric,**]** electric distribution, water, telephone or
2074 community antenna television company, or holding company, or any
2075 official, board or commission purporting to act under any
2076 governmental authority other than that of this state or of its divisions,
2077 municipal corporations or courts, shall interfere or attempt to interfere
2078 with or, directly or indirectly, exercise or attempt to exercise authority
2079 or control over any gas, **[**electric,**]** electric distribution, water,
2080 telephone or community antenna television company engaged in the
2081 business of supplying service within this state, or with or over any
2082 holding company doing the principal part of its business within this
2083 state, without first making written application to and obtaining the
2084 approval of the Public Utilities Regulatory Authority, except as the
2085 United States may properly regulate actual transactions in interstate
2086 commerce.

2087 (c) No corporation, association, partnership, trust or similar

2088 organization, or person shall take any action that causes it to become a
2089 holding company with control over a gas, [electric,] electric
2090 distribution, water, telephone or community antenna television
2091 company engaged in the business of supplying service within this
2092 state, or acquire, directly or indirectly, control over such a holding
2093 company, or take any action that would if successful cause it to
2094 become or to acquire control over such a holding company, without
2095 first making written application to and obtaining the approval of the
2096 authority. Any such corporation, association, partnership, trust or
2097 similar organization, or person applying to the authority for such
2098 approval shall pay the reasonable expenses incurred by the authority
2099 in carrying out its duties under this subsection, and accordingly, shall
2100 deposit with the authority a bond, executed by a surety company
2101 authorized to do business in this state, in the amount of fifty thousand
2102 dollars, conditioned to indemnify the authority for such expenses.

2103 (d) The Public Utilities Regulatory Authority shall investigate and
2104 hold a public hearing on the question of granting its approval with
2105 respect to any application made under subsection (b) or (c) of this
2106 section and thereafter may approve or disapprove any such
2107 application in whole or in part and upon such terms and conditions as
2108 it deems necessary or appropriate. In connection with its investigation,
2109 the authority may request the views of the gas, [electric,] electric
2110 distribution, water, telephone or community antenna television
2111 company or holding company which is the subject of the application
2112 with respect to the proposed acquisition. After the filing of an
2113 application satisfying the requirements of such regulations as the
2114 authority may adopt in accordance with the provisions of chapter 54,
2115 but not later than thirty business days after the filing of such
2116 application, the authority shall give prompt notice of the public
2117 hearing to the person required to file the application and to the subject
2118 company or holding company. Such hearing shall be commenced as
2119 promptly as practicable after the filing of the application, but not later
2120 than thirty business days after the filing, and the authority shall make
2121 its determination as soon as practicable, but not later than one hundred

2122 twenty days after the filing of the application unless the person
2123 required to file the application agrees to an extension of time. The
2124 authority may, in its discretion, grant the subject company or holding
2125 company the opportunity to participate in the hearing by presenting
2126 evidence and oral and written argument. If the authority fails to give
2127 notice of its determination to hold a hearing, commence the hearing, or
2128 render its determination after the hearing within the time limits
2129 specified in this subdivision, the proposed acquisition shall be deemed
2130 approved. In each proceeding on a written application submitted
2131 under said subsection (b) or (c), the authority shall, in a manner which
2132 treats all parties to the proceeding on an equal basis, take into
2133 consideration (1) the financial, technological and managerial suitability
2134 and responsibility of the applicant, (2) the ability of the gas, **[**electric,**]**
2135 electric distribution, water, telephone or community antenna television
2136 company or holding company which is the subject of the application to
2137 provide safe, adequate and reliable service to the public through the
2138 company's plant, equipment and manner of operation if the
2139 application were to be approved, and (3) for an application concerning
2140 a telephone company, the effect of approval on the location and
2141 accessibility of management and operations and on the proportion and
2142 number of state resident employees.

2143 (e) During any proceeding under subsection (b) or (c) of this section,
2144 the authority may order any party to such proceeding and the officers,
2145 directors, employees and agents of such party to refrain for a specific
2146 time period from communicating, directly or indirectly, with the
2147 record and beneficial owners of securities of the gas, **[**electric,**]** electric
2148 distribution, water, telephone or community antenna television
2149 company or holding company which is the subject of such
2150 proceedings, in regard to the matters submitted to the authority for its
2151 approval under said subsection (b) or (c). If the authority issues such
2152 an order, it shall also order all other parties to the proceeding and the
2153 officers, directors, employees and agents of such parties to refrain for
2154 the same time period from communicating, directly or indirectly, with
2155 such record and beneficial owners of such securities, in regard to such

2156 matters. No order issued pursuant to this subsection shall prohibit any
2157 party from complying with disclosure and reporting obligations under
2158 any other provision of the general statutes or under federal law.

2159 (f) Each holding company shall, not later than three months after the
2160 close of its fiscal year, annually, file with the authority a copy of its
2161 annual report to stockholders for such fiscal year. If the holding
2162 company does not print such an annual report, it shall file instead, not
2163 later than the same date, a comprehensive audit and report of its
2164 accounts and operations prepared by an independent public
2165 accounting firm approved by the authority. The provisions of this
2166 subsection shall not apply to any holding company in the form of a
2167 person.

2168 (g) Any action contrary to the provisions of subsections (b) or (c) of
2169 this section shall be voidable on order of the authority.

2170 (h) Whenever any corporation, association, partnership, trust or
2171 similar organization, or person takes or engages in any action which
2172 may or would violate subsection (b) or (c) of this section or any order
2173 adopted pursuant to said subsection (b) or (c), the Superior Court,
2174 upon application of the authority or any holding company or gas,
2175 **[**electric,**]** electric distribution, water, telephone or community antenna
2176 television company affected by such action, may enjoin any such
2177 corporation, association, partnership, trust or similar organization, or
2178 person from continuing or doing any act in violation of said subsection
2179 (b) or (c) or may otherwise enforce compliance with said subsection (b)
2180 or (c), including but not limited to, the reinstatement of authority or
2181 control over the holding company or gas, **[**electric,**]** electric
2182 distribution, water, telephone or community antenna television
2183 company or holding company to those persons who exercised
2184 authority or control over such company before such action.

2185 (i) The provisions of this section shall not be construed to require
2186 any person to make written application to or obtain the approval of the
2187 authority with respect to any telephone company or holding company

2188 of a telephone company over which such person exercises authority or
2189 control or operates as a holding company on June 30, 1987.

2190 Sec. 70. Subsection (f) of section 16-50i of the general statutes is
2191 repealed and the following is substituted in lieu thereof (*Effective from*
2192 *passage*):

2193 (f) "Emergency generating device" means an electric generating
2194 device with a generating capacity of five megawatts or less, installed
2195 primarily for the purpose of producing emergency backup electrical
2196 power for not more than five hundred hours per year, and that (1)
2197 does not have a substantial adverse environmental effect, as
2198 determined by the council, or (2) is owned and operated by an entity
2199 other than an **[**electric,**]** electric distribution or gas company, or (3) is
2200 under construction or in operation prior to May 2, 1989; and

2201 Sec. 71. Subsection (b) of section 16-50*l* of the general statutes is
2202 repealed and the following is substituted in lieu thereof (*Effective from*
2203 *passage*):

2204 (b) Each application shall be accompanied by proof of service of a
2205 copy of such application on: (1) Each municipality in which any
2206 portion of such facility is to be located, both as primarily proposed and
2207 in the alternative locations listed, and any adjoining municipality
2208 having a boundary not more than two thousand five hundred feet
2209 from such facility, which copy shall be served on the chief executive
2210 officer of each such municipality and shall include notice of the date on
2211 or about which the application is to be filed, and the zoning
2212 commissions, planning commissions, planning and zoning
2213 commissions, conservation commissions and inland wetlands agencies
2214 of each such municipality, and the regional planning agencies which
2215 encompass each such municipality; (2) the Attorney General; (3) each
2216 member of the legislature in whose assembly or senate district the
2217 facility or any alternative location listed in the application is to be
2218 located; (4) any agency, department or instrumentality of the federal
2219 government that has jurisdiction, whether concurrent with the state or

2220 otherwise, over any matter that would be affected by such facility; (5)
2221 each state department, agency and commission named in subsection
2222 (h) of section 16-50j, as amended by this act; and (6) such other state
2223 and municipal bodies as the council may by regulation designate. A
2224 notice of such application shall be given to the general public, in
2225 municipalities entitled to receive notice under subdivision (1) of this
2226 subsection, by the publication of a summary of such application and
2227 the date on or about which it will be filed. Such notice shall be
2228 published under the regulations to be promulgated by the council, in
2229 such form and in such newspapers as will serve substantially to inform
2230 the public of such application and to afford interested persons
2231 sufficient time to prepare for and to be heard at the hearing prescribed
2232 in section 16-50m. Such notice shall be published in not less than ten-
2233 point type. A notice of such an application for a certificate for a facility
2234 described in subdivision (3), (4), (5) or (6) of subsection (a) of section
2235 16-50i shall also be sent, by certified or registered mail, to each person
2236 appearing of record as an owner of property which abuts the proposed
2237 primary or alternative sites on which the facility would be located.
2238 Such notice shall be sent at the same time that notice of such
2239 application is given to the general public. Notice of an application for a
2240 certificate for a facility described in subdivision (1) of subsection (a) of
2241 section 16-50i shall also be provided to each **[**electric company or**]**
2242 electric distribution company customer in the municipality where the
2243 facility is proposed to be placed. Such notice shall (A) be provided on a
2244 separate enclosure with each customer's monthly bill for one or more
2245 months, (B) be provided by the **[**electric company or**]** electric
2246 distribution company not earlier than sixty days prior to filing the
2247 application with the council, but not later than the date that the
2248 application is filed with the council, and (C) include: A brief
2249 description of the project, including its location relative to the affected
2250 municipality and adjacent streets; a brief technical description of the
2251 project including its proposed length, voltage, and type and range of
2252 heights of support structures or underground configuration; the reason
2253 for the project; the address and a toll-free telephone number of the
2254 applicant by which additional information about the project can be

2255 obtained; and a statement in print no smaller than twenty-four-point
2256 type size stating "NOTICE OF PROPOSED CONSTRUCTION OF A
2257 HIGH VOLTAGE ELECTRIC TRANSMISSION LINE".

2258 Sec. 72. Section 16-232 of the general statutes is repealed and the
2259 following is substituted in lieu thereof (*Effective from passage*):

2260 No electric **[**light or electric power**]** distribution company organized
2261 under any former joint stock law of this state shall use or occupy any
2262 highway or public grounds or be entitled to the powers or privileges
2263 enumerated in this chapter, without special authority from the General
2264 Assembly.

2265 Sec. 73. Subsection (a) of section 16-234 of the 2014 supplement to
2266 the general statutes is repealed and the following is substituted in lieu
2267 thereof (*Effective from passage*):

2268 (a) As used in this section:

2269 (1) "Utility" means a telephone, telecommunications **[**, electric**]** or
2270 electric distribution company, each as defined in section 16-1, as
2271 amended by this act;

2272 (2) "Utility protection zone" means any rectangular area extending
2273 horizontally for a distance of eight feet from any outermost electrical
2274 conductor or wire installed from pole to pole and vertically from the
2275 ground to the sky;

2276 (3) "Hazardous tree" means any tree or part of a tree that is (A)
2277 dead, (B) extensively decayed, or (C) structurally weak, which, if it
2278 falls, would endanger utility infrastructure, facilities or equipment;

2279 (4) "Vegetation management" means pruning or removal of trees,
2280 shrubs or other vegetation that pose a risk to the reliability of the
2281 utility infrastructure, and the retention of trees and shrubs that are
2282 compatible with the utility infrastructure. Until such time as the
2283 Department of Energy and Environmental Protection issues standards

2284 for identifying such compatible trees and shrubs, the standards and
2285 identification of such compatible trees and shrubs shall be as set forth
2286 in the 2012 final report of the State Vegetation Management Task
2287 Force; and

2288 (5) "Pruning" means the selective removal of plant parts to meet
2289 specific goals and objectives, when performed according to current
2290 professional tree care standards.

2291 Sec. 74. Subsection (f) of section 16-243a of the general statutes is
2292 repealed and the following is substituted in lieu thereof (*Effective from*
2293 *passage*):

2294 (f) If a private power producer believes that an electric distribution
2295 company has violated any provision of this section it may submit a
2296 written petition alleging such violation to the authority. Upon receipt
2297 of the petition, the authority shall fix a time and place for a hearing
2298 and mail notice of the hearing to the parties in interest at least one
2299 week in advance. Upon the hearing, the authority may, if it finds the
2300 company has violated any such provision, prescribe the manner in
2301 which it shall comply.

2302 Sec. 75. Section 16-243c of the general statutes is repealed and the
2303 following is substituted in lieu thereof (*Effective from passage*):

2304 The Public Utilities Regulatory Authority may issue orders
2305 requiring electric distribution companies to provide, within their
2306 service areas, electricity transmission and distribution services
2307 between a generating facility operated by an electric cooperative under
2308 subsection (b) of section 33-219 and those members of the cooperative
2309 operating the facility to whom the cooperative is authorized to furnish
2310 electricity under subsection (d) of section 33-221, as amended by this
2311 act, and governing the rates for the service. The authority may not
2312 issue any order under this subsection which would significantly
2313 impair the ability of an electric distribution company to perform its
2314 responsibilities to the public or would otherwise be contrary to the

2315 purposes of this title.

2316 Sec. 76. Section 16-243e of the 2014 supplement to the general
2317 statutes is repealed and the following is substituted in lieu thereof
2318 (*Effective from passage*):

2319 (a) Except as provided in subsection (b) of this section, any electric
2320 distribution company, as defined in section 16-1, as amended by this
2321 act, that, prior to July 6, 2007, purchased electricity generated by a
2322 resources recovery facility, as defined in section 22a-260, owned by, or
2323 operated by or for the benefit of, a municipality or municipalities,
2324 pursuant to a contract with the owner of such facility requiring the
2325 electric distribution company to purchase all of the electricity
2326 generated at such facility from waste that originated in the franchise
2327 area of the electric distribution company, for a period beginning on the
2328 date that the facility began generating electricity and having a duration
2329 of not less than twenty years, at the same rate that the electric
2330 distribution company charges the municipality or municipalities for
2331 electricity, shall pay the rate set forth in the contract or, for contracts
2332 entered into and approved during calendar year 1999, the rate
2333 established by the authority, for the remaining period of the contract.
2334 No **[**electric company or**]** electric distribution company shall be
2335 required to enter into such a contract on or after July 6, 2007.

2336 (b) Not later than October 1, 2000, and annually thereafter, the
2337 authority shall calculate the difference between the amount paid by the
2338 **[**successor**]** electric distribution company pursuant to each such
2339 contract in effect during the preceding fiscal year for electricity
2340 generated at the facility from waste that originated within such
2341 franchise area and the amount that would have been paid had the
2342 company been obligated to pay the rate in effect during calendar year
2343 1999, as determined by the authority. The difference, if positive, shall
2344 be recovered through the systems benefits charge established under
2345 section 16-245*l*, as amended by this act, and remitted to the regional
2346 resource recovery authority acting on behalf of member municipalities.

2347 Sec. 77. Section 16-243g of the general statutes is repealed and the
2348 following is substituted in lieu thereof (*Effective from passage*):

2349 Notwithstanding any provision of the general statutes or of any
2350 special act to the contrary, no electric distribution company, as defined
2351 in section 16-1, as amended by this act, municipal electric energy
2352 cooperative established under chapter 101a or municipal electric utility
2353 established under chapter 101 which has entered into a contract to
2354 purchase electricity from a private power producer, as defined in
2355 section 16-243b, shall refuse or neglect to execute an assignment of an
2356 electricity purchase agreement or contract to a trustee as security for or
2357 protection of bonds issued to refinance outstanding bonds originally
2358 issued or reissued to finance the major portion of the costs of the
2359 acquisition, construction and installation of a private power
2360 production facility, as defined in section 16-243b.

2361 Sec. 78. Section 16-243z of the 2014 supplement to the general
2362 statutes is repealed and the following is substituted in lieu thereof
2363 (*Effective from passage*):

2364 (a) For purposes of this section, "regional planning agency" and
2365 "regional council of elected officials" have the same meanings as
2366 provided in section 4-124i, "regional council of governments" has the
2367 same meaning as "council" in section 4-124i and [("electric company"
2368 and] "electric distribution company" [have] has the same [meanings]
2369 meaning as provided in section 16-1, as amended by this act.

2370 (b) Upon the request of the geographic information systems or
2371 geospatial information systems analyst or coordinator, or any
2372 equivalent official, of any municipality or of any regional planning
2373 agency, regional council of elected officials or regional council of
2374 governments, an [electric company or] electric distribution company
2375 shall provide to such analyst, coordinator or official any geographic
2376 information systems or geospatial information systems data for such
2377 [electric or] electric distribution company's service area identifying
2378 utility pole data for poles owned or jointly owned by such company in

2379 such municipality or the area served by such regional planning
2380 agency, regional council of elected officials or regional council of
2381 governments. Such data shall include pole ownership, identification
2382 number, XY coordinate location, pole height, pole classification and
2383 wattage size of street lights or post lights.

2384 (c) Upon the request of a municipality for public safety reasons
2385 during an emergency, an **[**electric company or**]** electric distribution
2386 company may provide to such municipality the location of electric
2387 service accounts that are coded by such company as medical hardship
2388 accounts within such municipality.

2389 (d) Prior to receipt of data from an **[**electric company or**]** electric
2390 distribution company under this section, a municipality, regional
2391 planning agency, regional council of elected officials or regional
2392 council of governments shall demonstrate to such company that it has
2393 implemented appropriate procedures to protect the confidentiality of
2394 the information. Any data provided by such company to a
2395 municipality, regional planning agency, regional council of elected
2396 officials or regional council of governments pursuant to this section
2397 shall be used by such entity for internal use only, and shall not be
2398 publicly disclosed by the municipality, regional planning agency,
2399 regional council of elected officials or regional council of governments
2400 or be subject to any public disclosure requirement without the prior
2401 consent of the **[**electric company or**]** electric distribution company, as
2402 applicable, and shall be exempt from disclosure under the Freedom of
2403 Information Act, as defined in section 1-200.

2404 Sec. 79. Section 16-243z of the 2014 supplement to the general
2405 statutes, as amended by section 292 of public act 13-247, is repealed
2406 and the following is substituted in lieu thereof (*Effective January 1,*
2407 *2015*):

2408 (a) For purposes of this section, "regional council of governments"
2409 has the same meaning as "council" in section 4-124i, and **[**"electric
2410 company" and**]** "electric distribution company" **[**have**]** <u>has</u> the same

2411 [meanings] meaning as provided in section 16-1, as amended by this
2412 act.

2413 (b) Upon the request of the geographic information systems or
2414 geospatial information systems analyst or coordinator, or any
2415 equivalent official, of any municipality or regional council of
2416 governments, an [electric company or] electric distribution company
2417 shall provide to such analyst, coordinator or official any geographic
2418 information systems or geospatial information systems data for such
2419 electric or electric distribution company's service area identifying
2420 utility pole data for poles owned or jointly owned by such company in
2421 such municipality or the area served by such regional council of
2422 governments. Such data shall include pole ownership, identification
2423 number, XY coordinate location, pole height, pole classification and
2424 wattage size of street lights or post lights.

2425 (c) Upon the request of a municipality for public safety reasons
2426 during an emergency, an [electric company or] electric distribution
2427 company may provide to such municipality the location of electric
2428 service accounts that are coded by such company as medical hardship
2429 accounts within such municipality.

2430 (d) Prior to receipt of data from an [electric company or] electric
2431 distribution company under this section, a municipality or regional
2432 council of governments shall demonstrate to such company that it has
2433 implemented appropriate procedures to protect the confidentiality of
2434 the information. Any data provided by such company to a
2435 municipality or regional council of governments pursuant to this
2436 section shall be used by such entity for internal use only, and shall not
2437 be publicly disclosed by the municipality or regional council of
2438 governments or be subject to any public disclosure requirement
2439 without the prior consent of the [electric company or] electric
2440 distribution company [, as applicable,] and shall be exempt from
2441 disclosure under the Freedom of Information Act, as defined in section
2442 1-200.

2443 Sec. 80. Section 16-243aa of the 2014 supplement to the general
2444 statutes is repealed and the following is substituted in lieu thereof
2445 (*Effective from passage*):

2446 The Public Utilities Regulatory Authority shall authorize any
2447 municipality or state or federal governmental entity that owns,
2448 operates or leases any Class I renewable energy source, as defined in
2449 section 16-1, as amended by this act, Class III source, as defined in
2450 section 16-1, as amended by this act, or generation source under five
2451 megawatts, to independently distribute electricity generated from any
2452 such source across a public highway or street, provided (1) any such
2453 source is connected to a municipal microgrid, as defined in subdivision
2454 (5) of subsection (a) of section 16-243y, and (2) to ensure the reliability
2455 and availability of the microgrid delivery system and the safety of the
2456 public, such municipality or state or federal governmental entity shall
2457 engage the applicable electric distribution company, as defined in
2458 section 16-1, as amended by this act, to complete the interconnection of
2459 such microgrid to the electric grid in accordance with the authority's
2460 interconnection standards. For purposes of this section, any such
2461 municipality or governmental entity shall not be considered an electric
2462 distribution company, as defined in section 16-1, as amended by this
2463 act.

2464 Sec. 81. Section 16-244e of the 2014 supplement to the general
2465 statutes is repealed and the following is substituted in lieu thereof
2466 (*Effective from passage*):

2467 **[**(a) (1) Not later than October 1, 1998, each electric company shall
2468 submit an unbundling plan to the authority to unbundle and separate,
2469 by October 1, 1999, all the company's generation assets that (A) prior to
2470 the date when the authority approves a divestiture plan pursuant to
2471 section 16-244f or 16-244g, are not sold in accordance with section 16-
2472 43, and (B) on and after the date when the authority approves such
2473 plan, will not be divested as of January 1, 2000, in accordance with
2474 sections 16-244f and 16-244g.

2475 (2) For any nonnuclear generation asset that will not be divested by
2476 January 1, 2000, unbundling and separation shall occur by transfer on
2477 a functional basis to one or more corporate affiliates that are legally
2478 separate from the company's transmission and distribution assets and
2479 all related operations and functions, in which case, no stranded costs
2480 shall be recovered.

2481 (3) For any nuclear generation asset that will not be sold by January
2482 1, 2000, unbundling and separation shall occur by (A) divestiture
2483 pursuant to section 16-244g, (B) transfer on a functional basis to one or
2484 more corporate affiliates that are legally separate from the company's
2485 transmission and distribution assets and all related operations and
2486 functions, or (C) if required to comply with rules, regulations or
2487 licensing requirements of the United States Nuclear Regulatory
2488 Commission, transfer on a functional basis to one or more divisions
2489 that are structurally separate from the electric distribution company.

2490 (4) The unbundling plan and order shall provide for the allocation
2491 of the rights and responsibilities pursuant to sections 16-245e to 16-
2492 245k, inclusive, between the electric distribution company and any
2493 generation entities or affiliates and shall provide for the allocation of
2494 revenue under a special contract among those components of a
2495 customer's bill specified in subdivision (1) of subsection (a) of section
2496 16-245d. Such plan shall include a proposed modification or
2497 elimination to the adjustment pursuant to section 16-19b. Such plan
2498 shall not allow the transfer of assets or liabilities allocable or belonging
2499 to transmission or distribution functions or facilities to the generation
2500 entity or affiliate of an electric company, nor allow the transfer of
2501 assets or liabilities, other than financial assets or liabilities to be funded
2502 by the competitive transition assessment pursuant to section 16-245g
2503 or the systems benefits charge pursuant to section 16-245*l*, allocable or
2504 belonging to generation functions or facilities to the electric
2505 distribution company, as defined in section 16-1, unless federal law or
2506 regulation requires such a transfer with regard to nuclear generation
2507 assets. All entitlements and obligations from any purchased power

2508 contract or independent power producer contract entered into before
2509 July 1, 1998, by the predecessor electric company which are not bought
2510 out shall succeed to the electric distribution company. Such plan shall
2511 include a discussion of the impacts of the proposed plan on the
2512 company's employees and plans for mitigating such impact.

2513 (5) The authority shall hold a hearing and issue a final order
2514 approving or modifying the plan in a time frame that will allow
2515 unbundling to be accomplished by October 1, 1999. Any hearing shall
2516 be conducted as a contested case in accordance with chapter 54. Such
2517 plan shall be submitted and such order issued consistent with the
2518 determination and implementation of the competitive transition
2519 assessment, as provided in section 16-245g.

2520 (6) Once unbundling is completed to the satisfaction of the authority
2521 and consistent with the provisions of section 16-244, (A) any corporate
2522 affiliate or separate division that provides electric generation services
2523 as a result of unbundling pursuant to this subsection shall be
2524 considered a generation entity or affiliate of the electric company, and
2525 the division or corporate affiliate of the electric company that provides
2526 transmission and distribution services shall be considered an electric
2527 distribution company, and (B) an**]** (a) An electric distribution company
2528 shall not own or operate generation assets, except as provided in this
2529 section and sections 16-43d, as amended by this act, 16-243m, as
2530 amended by this act, 16-243u, 16a-3b and 16a-3c.

2531 (b) **[**Not later than August 1, 1998, the Public Utilities Regulatory
2532 Authority shall hold a hearing and issue a final order that unbundles
2533 prices or rates for electric generation services for each electric company
2534 from all other charges. Any hearing shall be conducted as a contested
2535 case in accordance with chapter 54. On and after July 1, 1999, each
2536 electric company or**]** Each electric distribution company **[**, as the case
2537 may be,**]** shall provide all customers with a bill that separates the
2538 electric generation services component of those charges.

2539 Sec. 82. Subsection (a) of section 16-244g of the general statutes is

2540 repealed and the following is substituted in lieu thereof (*Effective from*
2541 *passage*):

2542 (a) As used in this section, "generation assets" means **[**"generation
2543 assets", as defined in section 16-244f**]** electric generation facilities and
2544 generation-related operations and functions owned by an electric
2545 distribution company and includes associated contractual obligations
2546 for energy or capacity from such generation assets, and "net proceeds"
2547 means **[**"net proceeds", as defined in section 16-244f**]** the book income
2548 from the sale or divestiture of assets, consisting of sales price less
2549 reasonable expenses of sale, related income and other taxes.

2550 Sec. 83. Subsection (b) of section 16-244h of the general statutes is
2551 repealed and the following is substituted in lieu thereof (*Effective from*
2552 *passage*):

2553 (b) The code of conduct shall include: (1) Measures to ensure
2554 information, revenues, expenses, costs, assets, liabilities or other
2555 resources derived from or associated with providing electric
2556 transmission or distribution services by an electric distribution
2557 company are not used to subsidize any generation entity or affiliate; (2)
2558 safeguards to assure fair dealing between electric distribution
2559 companies and all other electric suppliers, as defined in section 16-1, as
2560 amended by this act, including any generation entities or affiliates of
2561 the electric distribution company; (3) procedures for ensuring electric
2562 suppliers nondiscriminatory access to the transmission and
2563 distribution facilities of the electric distribution company; and (4)
2564 measures to ensure that an electric distribution company provides
2565 transmission and distribution service, applies tariffs to generation
2566 entities or affiliates and to unaffiliated electric suppliers in a
2567 nondiscriminatory manner and enforces such tariff provisions. The
2568 code of conduct shall, at a minimum, (A) prohibit any employee of a
2569 generation entity or affiliate from conducting distribution system
2570 operations or having access to system control centers or similar
2571 facilities used by distribution operations in any way that differs from
2572 the access available to employees of unaffiliated electric suppliers, (B)

2573 prohibit an employee of a generation entity or affiliate from having
2574 preferential access to any information concerning the electric
2575 distribution company's customers or distribution system that is not
2576 available on an equivalent basis to unaffiliated electric suppliers, (C)
2577 prohibit an employee of an electric distribution company from
2578 disclosing to an employee of a generation entity or affiliate information
2579 concerning its customers, the distribution system or other market
2580 information through nonpublic communications that is not available
2581 on an equivalent basis to all unaffiliated electric suppliers, (D) require
2582 employees of electric distribution companies to apply all tariff
2583 provisions relating to the sale or purchase of any retail access
2584 distribution service in a fair, impartial and nondiscriminatory manner,
2585 and (E) prohibit joint marketing activities between an electric
2586 distribution company and its generation entity or affiliate. The code of
2587 conduct shall not prohibit communications necessary for standard
2588 offer service pursuant to section 16-244c, as amended by this act, or
2589 when necessary to restore service or to prevent or respond to
2590 emergency conditions. Each electric distribution company shall
2591 annually submit to the authority such information as the authority
2592 may require in order to evaluate the actual effectiveness of the code of
2593 conduct in fulfilling the purposes of this section. The authority shall
2594 consult with the independent system operator on a regular basis
2595 regarding issues raised under this section. The authority may, upon its
2596 own motion or upon receipt of a complaint from any person alleging a
2597 violation of the code of conduct, investigate an electric distribution
2598 company's compliance with the code of conduct, and any such
2599 investigation shall be considered a contested case as defined in section
2600 4-166. The authority may enter into appropriate orders to enforce the
2601 code, including cease and desist orders, and it may levy civil penalties
2602 against these entities subject to the code after notice and hearing
2603 pursuant to section 16-41. Any person aggrieved by a violation of the
2604 code of conduct shall also have a private right of action for damages
2605 against the electric distribution company or generation entity or
2606 affiliate, as the case may be.

2607 Sec. 84. Section 16-245e of the 2014 supplement to the general
2608 statutes is repealed and the following is substituted in lieu thereof
2609 (*Effective from passage*):

2610 (a) As used in this section, sections 16-245f to 16-245k, inclusive, as
2611 amended by this act, and section 16-245m, as amended by this act:

2612 (1) "Rate reduction bonds" means bonds, notes, certificates of
2613 participation or beneficial interest, or other evidences of indebtedness
2614 or ownership, issued pursuant to an executed indenture or other
2615 agreement of a financing entity, in accordance with this section and
2616 sections 16-245f to 16-245k, inclusive, as amended by this act, the
2617 proceeds of which are used, directly or indirectly, to provide, recover,
2618 finance, or refinance stranded costs or economic recovery transfer, or
2619 to sustain funding of conservation and load management and
2620 renewable energy investment programs by substituting for
2621 disbursements to the General Fund from the Energy Conservation and
2622 Load Management Fund established by section 16-245m and from the
2623 Clean Energy Fund established by section 16-245n, and which, directly
2624 or indirectly, are secured by, evidence ownership interests in, or are
2625 payable from, transition property;

2626 (2) "Competitive transition assessment" means those **[**non-
2627 bypassable**]** nonbypassable rates and other charges, that are
2628 authorized by the authority (A) in a financing order in respect to the
2629 economic recovery transfer, or in a financing order, to sustain funding
2630 of conservation and load management and renewable energy
2631 investment programs by substituting disbursements to the General
2632 Fund from proceeds of rate reduction bonds for such disbursements
2633 from the Energy Conservation and Load Management Fund
2634 established by section 16-245m and from the Clean Energy Fund
2635 established by section 16-245n, or to recover those stranded costs that
2636 are eligible to be funded with the proceeds of rate reduction bonds
2637 pursuant to section 16-245f, as amended by this act, and the costs of
2638 providing, recovering, financing, or refinancing the economic recovery
2639 transfer or such substitution of disbursements to the General Fund or

2640 such stranded costs through a plan approved by the authority in the
2641 financing order, including the costs of issuing, servicing, and retiring
2642 rate reduction bonds, (B) to recover those stranded costs determined
2643 under this section but not eligible to be funded with the proceeds of
2644 rate reduction bonds pursuant to section 16-245f, as amended by this
2645 act, or (C) to recover costs determined under subdivision (1) of
2646 subsection (e) of section 16-244g. If requested by the [electric company
2647 or] electric distribution company, the authority shall include in the
2648 competitive transition assessment [non-bypassable] nonbypassable
2649 rates and other charges to recover federal and state taxes whose
2650 recovery period is modified by the transactions contemplated in this
2651 section and sections 16-245f to 16-245k, inclusive, as amended by this
2652 act;

2653 (3) "Customer" means any individual, business, firm, corporation,
2654 association, tax-exempt organization, joint stock association, trust,
2655 partnership, limited liability company, the United States or its
2656 agencies, this state, any political subdivision thereof or state agency
2657 that purchases electric generation or distribution services as a retail
2658 end user in the state from any electric supplier [, electric company] or
2659 electric distribution company;

2660 (4) "Finance authority" means the state, acting through the office of
2661 the State Treasurer;

2662 (5) "Net proceeds" means ["net proceeds" as defined in section 16-
2663 244f] the book income from the sale or divestiture of assets, consisting
2664 of sales price less reasonable expenses of sale, related income and
2665 other;

2666 (6) "Stranded costs" means that portion of generation assets,
2667 generation-related regulatory assets or long-term contract costs
2668 determined by the authority in accordance with the provisions of
2669 subsections (e), (f), (g) and (h) of this section;

2670 (7) "Generation assets" means the total construction and other

2671 capital asset costs of generation facilities approved for inclusion in
2672 rates before July 1, 1997, but does not include any costs relating to the
2673 decommissioning of any such facility or any costs which the authority
2674 found during a proceeding initiated before July 1, 1998, were incurred
2675 because of imprudent management;

2676 (8) "Generation-related regulatory assets" means generation-related
2677 costs authorized or mandated before July 1, 1998, by the Public
2678 Utilities Regulatory Authority, approved for inclusion in the rates, and
2679 include, but are not limited to, costs incurred for deferred taxes,
2680 conservation programs, environmental protection programs, public
2681 policy costs and research and development costs, net of any applicable
2682 credits payable to customers, but does not include any costs which the
2683 authority found during a proceeding initiated before July 1, 1998, were
2684 incurred because of imprudent management;

2685 (9) "Long-term contract costs" mean the above-market portion of the
2686 costs of contractual obligations approved for inclusion in the rates that
2687 were entered into before January 1, 2000, arising from independent
2688 power producer contracts required by law or purchased power
2689 contracts approved by the Federal Energy Regulatory Commission;

2690 **[**(10) "Authority" means the Public Utilities Regulatory Authority;**]**

2691 **[**(11)**]** <u>(10)</u> "Financing entity" means the finance authority or any
2692 special purpose trust or other entity that is authorized by the finance
2693 authority to issue rate reduction bonds or acquire transition property
2694 pursuant to such terms and conditions as the finance authority may
2695 specify, or both;

2696 **[**(12)**]** <u>(11)</u> "Financing order" means an order of the authority
2697 adopted in accordance with this section and sections 16-245f to 16-
2698 245k, inclusive<u>, as amended by this act</u>;

2699 **[**(13)**]** <u>(12)</u> "Transition property" means the property right created
2700 pursuant to this section and sections 16-245f to 16-245k, inclusive, <u>as</u>
2701 <u>amended by this act,</u> in respect to the economic recovery transfer or in

2702 respect of disbursements to the General Fund to sustain funding of
2703 conservation and load management and renewable energy investment
2704 programs or those stranded costs that are eligible to be funded with
2705 the proceeds of rate reduction bonds pursuant to section 16-245f, as
2706 amended by this act, including, without limitation, the right, title, and
2707 interest of an [electric company or] electric distribution company or its
2708 transferee or the financing entity (A) in and to the rates and charges
2709 established pursuant to a financing order, as adjusted from time to
2710 time in accordance with subdivision (2) of subsection (b) of section 16-
2711 245i, as amended by this act, and the financing order, (B) to be paid the
2712 amount that is determined in a financing order to be the amount that
2713 the [electric company or] electric distribution company or its transferee
2714 or the financing entity is lawfully entitled to receive pursuant to the
2715 provisions of this section and sections 16-245f to 16-245k, inclusive, as
2716 amended by this act, and the proceeds thereof, and in and to all
2717 revenues, collections, claims, payments, money, or proceeds of or
2718 arising from the rates and charges or constituting the competitive
2719 transition assessment that is the subject of a financing order including
2720 those non-bypassable rates and other charges referred to in
2721 subdivision (2) of this subsection, and (C) in and to all rights to obtain
2722 adjustments to the rates and charges pursuant to the terms of
2723 subdivision (2) of subsection (b) of section 16-245i, as amended by this
2724 act, and the financing order. "Transition property" shall constitute a
2725 current property right notwithstanding the fact that the value of the
2726 property right will depend on consumers using electricity or, in those
2727 instances where consumers are customers of a particular [electric
2728 company or] electric distribution company, the [electric company or]
2729 electric distribution company performing certain services;

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

2736 section 16-245n. The state rate reduction bonds for the purposes of
2737 section 4-30a shall be deemed to be outstanding indebtedness of the
2738 state;

2739 [(15)] (14) "Operating expenses" means, with respect to state rate
2740 reduction bonds or economic recovery revenue bonds, (A) all
2741 expenses, costs and liabilities of the state or the trustee incurred in
2742 connection with the administration or payment of the state rate
2743 reduction bonds or economic recovery revenue bonds, or in discharge
2744 of its obligations and duties under the state rate reduction bonds or
2745 economic recovery revenue bonds, or bond documents, expenses and
2746 other costs and expenses arising in connection with the state rate
2747 reduction bonds or economic recovery revenue bonds, or pursuant to
2748 the financing order providing for the issuance of such bonds including
2749 any arbitrage rebate and penalties payable under the code in
2750 connection with such bonds, and (B) all fees and expenses payable or
2751 disbursable to the servicers or others under the bond documents;

2752 [(16)] (15) "Bond documents" means, with respect to state rate
2753 reduction bonds or economic recovery revenue bonds, the following
2754 documents: The servicing agreements, the tax compliance agreement
2755 and certificate, and the continuing disclosure agreement and indenture
2756 entered into in connection with the state rate reduction bonds or the
2757 economic recovery revenue bonds;

2758 [(17)] (16) "Indenture" means the indenture executed in connection
2759 with the state rate reduction bonds or the economic recovery revenue
2760 bonds, or, with respect to state rate reduction bonds, the RRB
2761 Indenture, dated as of June 23, 2004, by and between the state and the
2762 trustee, as amended from time to time;

2763 [(18)] (17) "Trustee" means, with respect to state rate reduction
2764 bonds, the trustee appointed under the indenture;

2765 [(19)] (18) "Economic recovery transfer" means the disbursement to
2766 the General Fund of nine hundred fifty-six million dollars from

2767 proceeds of the issuance of the economic recovery revenue bonds; and

2768 [(20)] (19) "Economic recovery revenue bonds" means rate reduction
2769 bonds issued to fund the economic recovery transfer, the costs of
2770 issuance, credit enhancements, operating expenses and such other
2771 costs as the finance authority deems necessary or advisable, and which
2772 shall be payable from competitive transition assessment charges that
2773 replace the competitive transition assessment charges funding
2774 stranded costs.

2775 (b) The authority shall, in accordance with the provisions of this
2776 section, identify and calculate, upon application by an electric
2777 distribution company, those stranded costs that may be collected
2778 through the competitive transition assessment which shall be
2779 calculated and collected in accordance with the provisions of section
2780 16-245g, as amended by this act. No electric distribution company shall
2781 be eligible to claim stranded costs unless a public auction has been
2782 held to divest itself of all nonnuclear generation assets [in accordance
2783 with subsection (b) of section 16-244f] or the electric distribution
2784 company has sold its nonnuclear generation assets in accordance with
2785 section 16-43.

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

2800 will offer employment to persons who were employed in
2801 nonmanagerial positions by a divested generation facility at any time
2802 during the three-month period prior to the divestiture, at levels of
2803 wages and overall compensation not lower than the employees' lowest
2804 level during the six-month period prior to the date the contract to
2805 divest the asset was entered into; (B) good faith efforts to negotiate the
2806 buyout, buydown or renegotiation of independent power producer
2807 contracts and purchased power contracts approved by the Federal
2808 Energy Regulatory Commission, provided the fixed present value of
2809 any contract to which a political subdivision of the state is a party shall
2810 be calculated using the political subdivision's tax-exempt borrowing
2811 rate as the discount rate; and (C) the reasonable costs of the consultants
2812 appointed to conduct the auctions of generation assets pursuant to
2813 **[**sections 16-244f and**]** section 16-244g, as amended by this act.
2814 Mitigation may include, but is not limited to, reallocation of
2815 depreciation reserves to existing generation assets to the extent
2816 consistent with generally accepted accounting principles; reduction of
2817 book assets by application of net proceeds of any sale of existing assets;
2818 maximization of market revenues from existing generation assets;
2819 efforts to maximize current and future operating efficiency, including
2820 appropriate and timely maintenance, trouble shooting, aggressive
2821 identification and correction of potential problem areas; voluntary
2822 write-offs of above-market generation assets; the decision to retire
2823 uneconomical generation assets and efforts to divest generating sites at
2824 market prices reflective of best use of sites. Mitigation shall not include
2825 any expenditures to restart a nuclear generation asset that was not
2826 operating for reasons other than scheduled maintenance or refueling at
2827 the time such expenditure was made. Any mitigation efforts and
2828 associated costs shall be subject to approval by the authority.

2829 (2) The authority shall allow the cost of such mitigation efforts to be
2830 included in the calculation of stranded costs to the extent that such
2831 mitigation costs are reasonable relative to the amount of the reduction
2832 in stranded costs resulting from the mitigation.

2833 (d) An electric distribution company shall submit to the authority an
2834 application for recovery of that portion of generation-related
2835 regulatory assets, long-term contract costs, generation assets and
2836 mitigation costs which are determined by the authority in accordance
2837 with subsections (c), (e), (f) and (g) of this section and subdivision (1)
2838 of subsection (e) of section 16-244g. The application shall include a
2839 description of mitigation efforts and a request for recovery through the
2840 competitive transition assessment and may include a request for a
2841 financing order. The authority shall hold a hearing for each electric
2842 distribution company and issue a finding of the calculation of stranded
2843 costs in a time frame that allows for collection of the competitive
2844 transition assessment to begin on January 1, 2000. Any hearing shall be
2845 conducted as a contested case in accordance with chapter 54.

2846 (e) The authority shall calculate the stranded costs for generation-
2847 related regulatory assets to be their book value as of January 1, 2000. In
2848 calculating the value of generation-related regulatory assets that are
2849 being provided in a lump sum as the result of a funding with the
2850 proceeds of rate reduction bonds, the authority shall adjust the value
2851 of each such asset to reflect the time value of such lump sum, if any.

2852 (f) (1) The authority shall calculate the stranded costs for long-term
2853 contract costs that have been reduced to a fixed present value through
2854 the buyout, buydown, or renegotiation of independent power
2855 producer contracts and purchased power contracts approved by the
2856 Federal Energy Regulatory Commission as such present value. In
2857 making such calculation, the authority shall net purchased power
2858 contracts approved by the Federal Energy Regulatory Commission
2859 that are below market value against any such contracts that are above-
2860 market value.

2861 (2) The authority shall calculate the stranded costs for any portion of
2862 a long-term contract cost that has not been reduced to a fixed present
2863 value by comparing the contract price to the market price at least
2864 annually. In making such calculation, the authority shall net purchased
2865 power contracts approved by the Federal Energy Regulatory

2866 Commission that are below market value against any such contracts
2867 that are above-market value. The costs described in this subdivision
2868 shall be included in the competitive transition assessment pursuant to
2869 section 16-245g, as amended by this act, but shall not be included in
2870 any funding with the proceeds of rate reduction bonds.

2871 (g) The authority shall calculate the stranded cost for each
2872 generation asset **[**described in subdivision (7) of subsection (b) of
2873 section 16-244f**]** to be the difference between its book value and the
2874 market value of a prudently and efficiently managed nonnuclear
2875 generating facility of comparable size, age and technical characteristics
2876 in a competitive market. In determining the market value of any such
2877 asset, the authority may consider (A) the dollars per kilowatt received
2878 from the sale of similar generation facilities, if any, (B) income
2879 capitalization based on the operating history and capacity of the
2880 facility, the market rates for power, and any existing long-term
2881 contracts for the sale of power or capacity, (C) independent market
2882 appraisals, or (D) other relevant factors. The authority shall calculate
2883 the stranded costs for generation assets **[**described in subdivision (7) of
2884 subsection (b) of section 16-244f**]** at least every three years. The costs
2885 described in this subsection shall be included in the competitive
2886 transition assessment pursuant to section 16-245g, as amended by this
2887 act, but shall not be included in any funding with the proceeds of rate
2888 reduction bonds.

2889 (h) (1) On or before January 1, 2004, an electric distribution
2890 company may submit to the authority an application for recovery of
2891 that portion of nuclear generation assets which is determined by the
2892 authority in accordance with this subsection, which application shall
2893 include a request for recovery through the competitive transition
2894 assessment. The authority shall hold a hearing for each electric
2895 distribution company and issue a finding of the calculation of such
2896 nuclear generation assets in accordance with the provisions of this
2897 subsection. Any hearing shall be conducted as a contested case
2898 proceeding in accordance with chapter 54. The costs described in this

2899 subsection shall be included in the competitive transition assessment
2900 pursuant to section 16-245g, as amended by this act, but shall not be
2901 included in any funding with proceeds of rate reduction bonds.

2902 (2) The authority shall calculate the stranded costs for each nuclear
2903 generation asset that was divested at a price less than book value as
2904 described in subdivision (5) of subsection (c) of section 16-244g as the
2905 difference between the book value of this asset and the final bid price
2906 of the asset. The authority's calculation of stranded costs pursuant to
2907 this subdivision shall be final and shall not be subject to further
2908 adjustment by the authority.

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

2932 such initial finding and the actual market value of a prudently and
2933 efficiently managed nuclear generating facility of comparable size, age
2934 and technical characteristics during the time period between the initial
2935 finding and the adjustment date, provided the second and subsequent
2936 adjustments shall reflect the difference during the time period since the
2937 most recent true-up. The authority shall calculate the value of each
2938 such asset in accordance with the methodology provided in this
2939 subdivision. Any hearing shall be conducted as a contested case in
2940 accordance with chapter 54.

2941 (4) After the authority has calculated the total value of stranded
2942 costs for all nuclear generation assets, the authority shall (A) reduce
2943 such amount by the net proceeds that are above book value realized by
2944 an electric distribution company from the sale of nonnuclear
2945 generation assets, [pursuant to subdivision (6) of subsection (b) of
2946 section 16-244f,] (B) reduce such valuation to reflect the total net
2947 proceeds that are above book value realized by an electric distribution
2948 company from the sale of any nuclear generation assets pursuant to
2949 subsection (c) of section 16-244g, and (C) reduce such amount by the
2950 net proceeds that are above book value received by an electric
2951 distribution company for the sale or lease of any real property after
2952 July 1, 1998.

2953 (i) If any net proceeds described in subdivision (4) of subsection (h)
2954 of this section remain after the reduction in the calculation of nuclear
2955 generation assets pursuant to said subdivision (4) or are realized after
2956 said reduction is calculated, the additional amount of such net
2957 proceeds shall be netted against long-term contract costs described in
2958 subdivision (2) of subsection (f) of this section, and the competitive
2959 transition assessment shall be adjusted accordingly.

2960 (j) [(1)] No electric distribution company shall be eligible to claim
2961 any stranded costs for a nuclear generation asset or for any generation-
2962 related regulatory asset related to such generation asset, if the
2963 generation asset is not operating as a result of an order issued by the
2964 United States Nuclear Regulatory Commission that applies specifically

2965 to such asset. Any such asset that is not eligible to be claimed as a
2966 stranded cost shall be eligible after it is permitted to and has resumed
2967 operation and is selling power.

2968 **[**(2) Any asset with a Nuclear Regulatory Commission capacity
2969 rating of 641 megawatts that does not resume operation after such
2970 order is no longer in effect shall not be eligible to be claimed as a
2971 stranded cost. An electric company or electric distribution company
2972 may apply to the authority for retirement of such unit for economic
2973 reasons pursuant to section 16-19. The authority shall include any
2974 recovery ordered in such proceeding in the competitive transition
2975 assessment but shall not include any costs relating to the
2976 decommissioning of any such facility or any costs which the authority
2977 found during a proceeding initiated before July 1, 1998, were incurred
2978 because of imprudent management. Notwithstanding the provisions of
2979 this subdivision, nothing herein shall modify or supersede any statute
2980 or regulation in effect on July 1, 1998, pertaining to applications for
2981 retirement of nuclear generating facilities.**]**

2982 (k) If an electric <u>distribution</u> company elected to transfer any of its
2983 nuclear generation assets and related operations and functions to a
2984 separate corporate affiliate or to a division that is functionally separate
2985 from the electric distribution company pursuant to section 16-244g<u>, as</u>
2986 <u>amended by this act,</u> and subsequently sold any such assets in an arm's
2987 length transaction to an unrelated entity prior to January 1, 2012, the
2988 net proceeds realized from such sale that exceed book value for such
2989 assets shall be netted against the total amount of stranded costs, and
2990 the competitive transition assessment shall be adjusted accordingly
2991 and, if appropriate, other reimbursement shall be ordered by the
2992 authority.

2993 **[**(l) Funds appropriated to the Treasurer in section 21 of public act
2994 07-1 of the June special session shall be used by the Treasurer for the
2995 purpose of (1) defeasing some or all of the state rate reduction bonds
2996 maturing after December 30, 2007, by irrevocably depositing with the
2997 bond trustee in trust such appropriation to be used for the scheduled

2998 payments of principal and interest on the said state rate reduction
2999 bonds and paying operating expenses, (2) purchasing state rate
3000 reduction bonds maturing after December 30, 2007, in the open market
3001 on such terms and conditions as the Treasurer determines to be in the
3002 best interest of the state for purposes of satisfying such bonds, or (3)
3003 defeasing or satisfying some or all of the state rate reduction bonds
3004 maturing after December 30, 2007, by a combination of the methods
3005 described in subdivisions (1) and (2) of this subsection. Such
3006 appropriation is for the purpose of paying debt service on bonds or
3007 other evidences of indebtedness and related costs and expenses
3008 provided for in the indenture. After the defeasance or satisfaction of all
3009 outstanding state rate reduction bonds, the trustee shall deliver to the
3010 Treasurer or apply in accordance with the instructions of the Treasurer
3011 all moneys held by it not necessary to defease or satisfy such bonds or
3012 allocated to pay operating expenses. Such funds shall be first applied
3013 to satisfy any unpaid operating expenses. After payment of the
3014 operating expenses, seventy-five per cent of any remaining amounts
3015 shall be paid to the Energy Conservation and Load Management Fund,
3016 established pursuant to section 16-245m, and twenty-five per cent of
3017 such remaining amount shall be paid to the Clean Energy Fund,
3018 established pursuant to section 16-245n. The Treasurer and the finance
3019 authority have the authority to take any necessary and appropriate
3020 actions to implement the defeasance or satisfaction of the state rate
3021 reduction bonds and the payment of all operating expenses so that the
3022 amount of state rate reduction charges which before defeasance
3023 secured the state rate reduction bonds can be applied to the Energy
3024 Conservation and Load Management Fund and the Clean Energy
3025 Fund.**]**

3026 Sec. 85. Subsection (a) of section 16-245f of the 2014 supplement to
3027 the general statutes is repealed and the following is substituted in lieu
3028 thereof (*Effective from passage*):

3029 (a) An **[**electric company or**]** electric distribution company shall
3030 submit to the authority an application for a financing order with

respect to any proposal to sustain funding of conservation and load management and renewable energy investment programs by substituting disbursements to the General Fund from proceeds of rate reduction bonds for such disbursements from the Energy Conservation and Load Management Fund established by section 16-245m, as amended by this act, and from the Clean Energy Fund established by section 16-245n, as amended by this act, and may submit to the authority an application for a financing order with respect to the following stranded costs: (1) The cost of mitigation efforts, as calculated pursuant to subsection (c) of section 16-245e, as amended by this act; (2) generation-related regulatory assets, as calculated pursuant to subsection (e) of section 16-245e, as amended by this act; and (3) those long-term contract costs that have been reduced to a fixed present value through the buyout, buydown, or renegotiation of such contracts, as calculated pursuant to subsection (f) of section 16-245e, as amended by this act. No stranded costs shall be funded with the proceeds of rate reduction bonds unless (A) the [electric company or] electric distribution company proves to the satisfaction of the authority that the savings attributable to such funding will be directly passed on to customers through lower rates, and (B) the authority determines such funding will not result in giving the electric distribution company or any generation entities or affiliates an unfair competitive advantage. The authority shall hold a hearing for each such electric distribution company to determine the amount of disbursements to the General Fund from proceeds of rate reduction bonds that may be substituted for such disbursements from the Energy Conservation and Load Management Fund established by section 16-245m, as amended by this act, and from the Clean Energy Fund established by section 16-245n, as amended by this act, and thereby constitute transition property and the portion of stranded costs that may be included in such funding and thereby constitute transition property. Any hearing shall be conducted as a contested case in accordance with chapter 54, except that any hearing with respect to a financing order or other order to sustain funding for conservation and load management and renewable energy investment programs by substituting the disbursement to the General

3066 Fund from the Energy Conservation and Load Management Fund
3067 established by section 16-245m, as amended by this act, and from the
3068 Clean Energy Investment Fund established by section 16-245n, as
3069 amended by this act, shall not be a contested case, as defined in section
3070 4-166. The authority shall not include any rate reduction bonds as debt
3071 of an electric distribution company in determining the capital structure
3072 of the company in a rate-making proceeding, for calculating the
3073 company's return on equity or in any manner that would impact the
3074 electric distribution company for rate-making purposes, and shall not
3075 approve such rate reduction bonds that include covenants that have
3076 provisions prohibiting any change to their appointment of an
3077 administrator of the Energy Conservation and Load Management
3078 Fund. Nothing in this subsection shall be deemed to affect the terms of
3079 subsection (b) of section 16-245m.

3080 Sec. 86. Section 16-245g of the general statutes is repealed and the
3081 following is substituted in lieu thereof (*Effective from passage*):

3082 (a) The Public Utilities Regulatory Authority shall assess and
3083 beginning January 1, 2000, impose the competitive transition
3084 assessment which shall be imposed on all customers of each electric
3085 distribution company to provide funds for the purposes described in
3086 subsection (d) of this section. The authority shall hold a hearing that
3087 shall be conducted as a contested case in accordance with chapter 54,
3088 except as otherwise provided in section 16-245f, as amended by this
3089 act, to determine the amount of the competitive transition assessment.

3090 (b) The authority shall consider the effect on all customer rates and
3091 other factors relevant to reducing rates in determining the amount of
3092 the competitive transition assessment and the manner in which and
3093 the period over which it shall be imposed in any decision of the
3094 authority to set or adjust the competitive transition assessment.

3095 (c) The competitive transition assessment shall be determined by the
3096 authority in a general and equitable manner and, in accordance with
3097 the provisions of subsection (b) of section 16-245f, shall be imposed on

3098 all customers at a rate that is applied equally to all customers of the
3099 same class in accordance with methods of allocation in effect on July 1,
3100 1998, provided the competitive transition assessment shall not be
3101 imposed on customers receiving services under a special contract
3102 which is in effect on July 1, 1998, until such special contract expires.
3103 The competitive transition assessment shall be imposed beginning on
3104 January 1, 2000, on all customers receiving services under a special
3105 contract which is entered into or renewed after July 1, 1998. The
3106 competitive transition assessment shall have a generally applicable
3107 manner of determination that may be measured on the basis of
3108 percentages of total costs of retail sales of electric generation services.
3109 Subject to the provisions of subsection (b) of section 16-245f, the
3110 competitive transition assessment shall be payable by customers on an
3111 equal basis on the same payment terms and shall be eligible or subject
3112 to prepayment on an equal basis. Any exemption of the competitive
3113 transition assessment by customers under a special contract shall not
3114 result in an increase in rates to any customer.

3115 (d) The authority shall establish, fix and revise the competitive
3116 transition assessment in an amount sufficient at all times to: (1) Pay the
3117 principal of and the interest on rate reduction bonds as the same shall
3118 become due and payable; (2) to pay all reasonable and necessary
3119 expenses relating to the financing; and (3) to pay an electric
3120 distribution company stranded costs that are not funded with the
3121 proceeds of rate reduction bonds and interim capital costs determined
3122 under subdivision (1) of subsection (e) of section 16-244g.

3123 (e) The competitive transition assessment shall be charged to
3124 customers until the rate reduction bonds are paid in full by the
3125 financing entity and stranded costs not funded with the proceeds of
3126 rate reduction bonds are fully recovered by the **[**electric company or**]**
3127 electric distribution company. Amounts collected from a customer
3128 shall be allocated on a pro rata basis among (1) rates and charges
3129 described in subparagraph (A) of subdivision (2) of subsection (a) of
3130 section 16-245e, as amended by this act, (2) rates and charges described

3131 in subparagraph (B) of subdivision (2) of subsection (a) of section 16-
3132 245e, as amended by this act, and (3) other charges. To the extent that
3133 the authority, when issuing a financing order, determines that special
3134 treatment on customers' bills is necessary or desirable to distinguish
3135 rates and charges described in subparagraph (A) of subdivision (2) of
3136 subsection (a) of section 16-245e, as amended by this act, from rates
3137 and charges described in subparagraph (B) of subdivision (2) of
3138 subsection (a) of section 16-245e, as amended by this act, in order to
3139 facilitate the successful issuance and sale of rate reduction bonds, it
3140 may so provide as part of such financing order.

3141 Sec. 87. Section 16-245h of the general statutes is repealed and the
3142 following is substituted in lieu thereof (*Effective from passage*):

3143 (a) The competitive transition assessment described in
3144 subparagraph (A) of subdivision (2) of subsection (a) of section 16-
3145 245e, as amended by this act, shall constitute transition property when,
3146 and to the extent that, a financing order authorizing such portion of
3147 the competitive transition assessment has become effective in
3148 accordance with sections 16-245e to 16-245k, inclusive, as amended by
3149 this act, and the transition property shall thereafter continuously exist
3150 as property for all purposes with all of the rights and privileges of
3151 sections 16-245e to 16-245k, inclusive, as amended by this act, for the
3152 period and to the extent provided in the financing order, but in any
3153 event until the rate reduction bonds are paid in full, including all
3154 principal, interest, premium, costs, and arrearages on such bonds.
3155 Prior to its sale or other transfer by the **[**electric company or**]** electric
3156 distribution company pursuant to sections 16-245e to 16-245k,
3157 inclusive, as amended by this act, transition property, other than
3158 transition property in respect of the economic recovery transfer or in
3159 respect to disbursements to the General Fund to sustain funding of
3160 conservation and load management and renewable energy investment
3161 programs, shall be a vested contract right of the **[**electric company or**]**
3162 electric distribution company, notwithstanding any contrary treatment
3163 thereof for accounting, tax, or other purpose. Transition property in

3164 respect of disbursements to the General Fund to sustain funding of
3165 conservation and load management and renewable energy investment
3166 programs shall immediately upon its creation vest solely in the
3167 financing entity. Transition property in respect to the economic
3168 recovery transfer shall immediately upon its creation vest solely in the
3169 financing entity. The **[**electric company or**]** electric distribution
3170 company shall have no right, title or interest in transition property in
3171 respect to the economic recovery transfer or in respect of
3172 disbursements to the General Fund to sustain funding of conservation
3173 and load management and renewable energy investment programs,
3174 and in respect of such transition property shall be only a collection
3175 agent on behalf of the financing entity.

3176 (b) Any surplus competitive transition assessment described in
3177 subparagraph (A) of subdivision (2) of subsection (a) of section 16-
3178 245e, as amended by this act, in excess of the amounts necessary to pay
3179 principal, premium, if any, interest and expenses of the issuance of the
3180 rate reduction bonds shall be remitted to the financing entity and may
3181 be used to benefit customers if this would not result in a
3182 recharacterization of the tax, accounting, and other intended
3183 characteristics of the financing, including, but not limited to, the
3184 following:

3185 (1) Avoiding the recognition of debt on the **[**electric company's or
3186 the**]** electric distribution company's balance sheet for financial
3187 accounting and regulatory purposes;

3188 (2) Treating the rate reduction bonds as debt of the **[**electric
3189 company or**]** electric distribution company or its affiliates for federal
3190 income tax purposes;

3191 (3) Treating the transfer of the transition property by the **[**electric
3192 company or**]** electric distribution company as a true sale for
3193 bankruptcy purposes; or

3194 (4) Avoiding any adverse impact of the financing on the credit

3195 rating of the rate reduction bonds or the [electric company or] electric
3196 distribution company.

3197 (c) Electric [companies and electric] distribution companies may sell
3198 and assign all or portions of their interest in transition property to an
3199 affiliate. Electric [companies and electric] distribution companies or
3200 their affiliates may sell or assign their interests to one or more
3201 financing entities that make that property the basis for issuance of rate
3202 reduction bonds to the extent approved in the pertinent financing
3203 orders. Electric [companies, electric] distribution companies, their
3204 affiliates, or financing entities may pledge transition property as
3205 collateral, directly or indirectly, for rate reduction bonds to the extent
3206 approved in the pertinent financing orders providing for a security
3207 interest in the transition property, in the manner as set forth in section
3208 16-245k, as amended by this act. In addition, transition property may
3209 be sold or assigned by (1) the financing entity or a trustee for the
3210 holders of rate reduction bonds in connection with the exercise of
3211 remedies upon a default, or (2) any person acquiring the transition
3212 property after a sale or assignment pursuant to this subsection.

3213 (d) To the extent that any interest in transition property is so sold or
3214 assigned, or is so pledged as collateral, the authority shall authorize
3215 the [electric company or] electric distribution company to contract with
3216 the financing entity that it will continue to operate its system to
3217 provide service to its customers, will collect amounts in respect of the
3218 competitive transition assessment for the benefit and account of the
3219 financing entity, and will account for and remit these amounts to or for
3220 the account of the financing entity. Contracting with the financing
3221 entity in accordance with that authorization shall not impair or negate
3222 the characterization of the sale, assignment, or pledge as an absolute
3223 transfer, a true sale, or security interest, as applicable.

3224 Sec. 88. Subsections (a) and (b) of section 16-245i of the general
3225 statutes are repealed and the following is substituted in lieu thereof
3226 (*Effective from passage*):

3227 (a) The authority may issue financing orders in accordance with
3228 sections 16-245e to 16-245k, inclusive, as amended by this act, to fund
3229 the economic recovery transfer, to sustain funding of conservation and
3230 load management and renewable energy investment programs by
3231 substituting disbursements to the General Fund from proceeds of rate
3232 reduction bonds for such disbursements from the Energy Conservation
3233 and Load Management Fund established by section 16-245m, as
3234 amended by this act, and from the Clean Energy Fund established by
3235 section 16-245n, as amended by this act, and to facilitate the provision,
3236 recovery, financing, or refinancing of stranded costs. Except for a
3237 financing order in respect to the economic recovery revenue bonds, a
3238 financing order may be adopted only upon the application of an
3239 [electric company or] electric distribution company, pursuant to
3240 section 16-245f, as amended by this act, and shall become effective in
3241 accordance with its terms only after the [electric company or] electric
3242 distribution company files with the authority the [electric company's
3243 or the] electric distribution company's written consent to all terms and
3244 conditions of the financing order. Any financing order in respect to the
3245 economic recovery revenue bonds shall be effective on issuance.

3246 (b) (1) Notwithstanding any general or special law, rule, or
3247 regulation to the contrary, except as otherwise provided in this
3248 subsection with respect to transition property that has been made the
3249 basis for the issuance of rate reduction bonds, the financing orders and
3250 the competitive transition assessment shall be irrevocable and the
3251 authority shall not have authority either by rescinding, altering, or
3252 amending the financing order or otherwise, to revalue or revise for
3253 rate-making purposes the stranded costs, or the costs of providing,
3254 recovering, financing, or refinancing the stranded costs, the amount of
3255 the economic recovery transfer or the amount of disbursements to the
3256 General Fund from proceeds of rate reduction bonds substituted for
3257 such disbursements from the Energy Conservation and Load
3258 Management Fund established by section 16-245m, as amended by this
3259 act, and from the Clean Energy Fund established by section 16-245n, as
3260 amended by this act, determine that the competitive transition

3261 assessment is unjust or unreasonable, or in any way reduce or impair
3262 the value of transition property either directly or indirectly by taking
3263 the competitive transition assessment into account when setting other
3264 rates for the [electric company or] electric distribution company; nor
3265 shall the amount of revenues arising with respect thereto be subject to
3266 reduction, impairment, postponement, or termination.

3267 (2) Notwithstanding any other provision of this section, the
3268 authority shall approve the adjustments to the competitive transition
3269 assessment as may be necessary to ensure timely recovery of all
3270 stranded costs that are the subject of the pertinent financing order, and
3271 the costs of capital associated with the provision, recovery, financing,
3272 or refinancing thereof, including the costs of issuing, servicing, and
3273 retiring the rate reduction bonds issued to recover stranded costs
3274 contemplated by the financing order and to ensure timely recovery of
3275 the costs of issuing, servicing, and retiring the rate reduction bonds
3276 issued to sustain funding of conservation and load management and
3277 renewable energy investment programs contemplated by the financing
3278 order, and to ensure timely recovery of the costs of issuing, servicing
3279 and retiring the economic recovery revenue bonds issued to fund the
3280 economic recovery transfer contemplated by the financing order.

3281 (3) Notwithstanding any general or special law, rule, or regulation
3282 to the contrary, any requirement under sections 16-245e to 16-245k,
3283 inclusive, as amended by this act, or a financing order that the
3284 authority take action with respect to the subject matter of a financing
3285 order shall be binding upon the authority, as it may be constituted
3286 from time to time, and any successor agency exercising functions
3287 similar to the authority and the authority shall have no authority to
3288 rescind, alter, or amend that requirement in a financing order. Section
3289 16-43 shall not apply to any sale, assignment, or other transfer of or
3290 grant of a security interest in any transition property or the issuance of
3291 rate reduction bonds under sections 16-245e to 16-245k, inclusive, as
3292 amended by this act.

3293 Sec. 89. Subsections (a) to (c), inclusive, of section 16-245j of the

3294 general statutes are repealed and the following is substituted in lieu
3295 thereof (*Effective from passage*):

3296 (a) (1) Except as provided in subdivision (2) of this subsection, a
3297 financing entity may issue rate reduction bonds upon approval by the
3298 authority in the pertinent financing order. Rate reduction bonds shall
3299 be nonrecourse to the credit or any assets of the **[**electric company,**]**
3300 electric distribution company or the finance authority, other than the
3301 transition property as specified in the pertinent financing order.

3302 (2) Notwithstanding the provisions of subdivision (1) of this
3303 subsection, on and after June 21, 2011, no financing entity has the
3304 power or is authorized to issue economic recovery revenue bonds. No
3305 competitive transition assessment shall be assessed to secure and pay
3306 economic recovery revenue bonds.

3307 (b) Except as otherwise provided in this subsection, the state of
3308 Connecticut does hereby pledge and agree with the owners of
3309 transition property and holders of rate reduction bonds that the state
3310 shall neither limit nor alter the competitive transition assessment,
3311 transition property, financing orders, and all rights thereunder until
3312 the obligations, together with the interest thereon, are fully met and
3313 discharged, provided nothing contained in this subsection shall
3314 preclude the limitation or alteration if and when adequate provision
3315 shall be made by law for the protection of the owners and holders. The
3316 finance authority as agent for the state is authorized to include this
3317 pledge and undertaking for the state in these obligations.

3318 (c) (1) Financing orders and rate reduction bonds shall not be
3319 deemed to constitute a debt or liability of the state or of any political
3320 subdivision thereof, other than the financing entity, shall not constitute
3321 a pledge of the full faith and credit of the state or any of its political
3322 subdivisions, other than the financing entity, but shall be payable
3323 solely from the funds provided under sections 16-245e to 16-245k,
3324 inclusive, <u>as amended by this act,</u> and shall not constitute an
3325 indebtedness of the state within the meaning of any constitutional or

3326 statutory debt limitation or restriction and, accordingly, shall not be
3327 subject to any statutory limitation on the indebtedness of the state and
3328 shall not be included in computing the aggregate indebtedness of the
3329 state in respect to and to the extent of any such limitation. This
3330 subsection shall in no way preclude bond guarantees or enhancements
3331 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this
3332 act. All rate reduction bonds shall contain on the face thereof a
3333 statement to the following effect: "Neither the full faith and credit nor
3334 the taxing power of the State of Connecticut is pledged to the payment
3335 of the principal of, or interest on, this bond."

3336 (2) The issuance of rate reduction bonds under sections 16-245e to
3337 16-245k, inclusive, as amended by this act, shall not directly, indirectly,
3338 or contingently obligate the state or any political subdivision thereof to
3339 levy or to pledge any form of taxation therefor or to make any
3340 appropriation for their payment.

3341 (3) The exercise of the powers granted by sections 16-245e to 16-
3342 245k, inclusive, as amended by this act, shall be in all respects for the
3343 benefit of the people of this state, for the increase of their commerce,
3344 welfare, and prosperity, and as the exercise of such powers shall
3345 constitute the performance of an essential public function, neither the
3346 finance authority, any [electric company or] electric distribution
3347 company, any affiliate of any [electric company or] electric distribution
3348 company, any financing entity, or any collection or other agent of any
3349 of the foregoing shall be required to pay any taxes or assessments
3350 upon or in respect of any revenues or property received, acquired,
3351 transferred, or used by the finance authority, any [electric company or]
3352 electric distribution company, any affiliate of any [electric company or]
3353 electric distribution company, any financing entity, or any collection or
3354 other agent of any of the foregoing under the provisions of sections 16-
3355 245e to 16-245k, inclusive, as amended by this act, or upon or in
3356 respect of the income therefrom, and any rate reduction bonds shall be
3357 treated as issued by or on behalf of a public instrumentality created
3358 under the laws of the state for purposes of chapter 229.

3359 (4) (A) The proceeds of any rate reduction bonds, other than
3360 economic recovery revenue bonds, shall be used for the purposes
3361 approved by the authority in the financing order, including, but not
3362 limited to, disbursements to the General Fund in substitution for such
3363 disbursements from the Energy Conservation and Load Management
3364 Fund established by section 16-245m, as amended by this act, and from
3365 the Clean Energy Fund established by section 16-245n, as amended by
3366 this act, the costs of refinancing or retiring of debt of the [electric
3367 company or] electric distribution company, and associated federal and
3368 state tax liabilities; provided such proceeds shall not be applied to
3369 purchase generation assets or to purchase or redeem stock or to pay
3370 dividends to shareholders or operating expenses other than taxes
3371 resulting from the receipt of such proceeds.

3372 (B) The proceeds of any economic recovery revenue bonds shall be
3373 used for the purposes approved by the authority in the financing
3374 order, including, but not limited to, funding the economic recovery
3375 transfer, provided such proceeds shall not be applied to purchase
3376 generation assets or to purchase or redeem stock or to pay dividends
3377 to shareholders or operating expenses other than taxes resulting from
3378 the receipt of such proceeds.

3379 (5) Rate reduction bonds are made and declared (A) securities in
3380 which all public officers and public bodies of the state and its political
3381 subdivisions, all insurance companies, state banks and trust
3382 companies, national banking associations, savings banks, savings and
3383 loan associations, investment companies, executors, administrators,
3384 trustees and other fiduciaries may properly and legally invest funds,
3385 including capital in their control or belonging to them, and (B)
3386 securities which may properly and legally be deposited with and
3387 received by any state or municipal officer or any agency or political
3388 subdivision of the state for any purpose for which the deposit of bonds
3389 or obligations of the state is now or may be authorized.

3390 (6) Rate reduction bonds, other than economic recovery revenue
3391 bonds, shall mature at such time or times approved by the authority in

3392 the financing order; provided that such maturity shall not be later than
3393 December 31, 2011. Economic recovery revenue bonds shall mature at
3394 such time or times approved by the authority in the financing order,
3395 provided such maturity shall not be later than eight years after the
3396 date of issuance, provided such maturity may be extended for
3397 economic reasons, upon the advice of the financing entity.

3398 (7) Rate reduction bonds issued and at any time outstanding may, if
3399 and to the extent permitted under the indenture or other agreement
3400 pursuant to which they are issued, be refunded by other rate reduction
3401 bonds.

3402 Sec. 90. Section 16-245k of the general statutes is repealed and the
3403 following is substituted in lieu thereof (*Effective from passage*):

3404 (a) A security interest in transition property is valid, is enforceable
3405 against the pledgor and third parties, subject to the rights of any third
3406 parties holding security interests in the transition property perfected in
3407 the manner described in this section, and attaches when all of the
3408 following have taken place:

3409 (1) The authority has issued the financing order authorizing the
3410 competitive transition assessment included in the transition property.

3411 (2) Value has been given by the pledgees of the transition property.

3412 (3) The pledgor has signed a security agreement covering the
3413 transition property.

3414 (b) A valid and enforceable security interest in transition property is
3415 perfected when it has attached and when a financing statement has
3416 been filed in accordance with part 5 of article 9 of title 42a naming the
3417 pledgor of the transition property as "debtor" and identifying the
3418 transition property. In such case, the financing statement shall be filed
3419 as if the debtor were located in this state. Any description of the
3420 transition property shall be sufficient if it refers to the financing order
3421 creating the transition property. A copy of the financing statement

3422 shall be filed with the authority by the [electric company or] electric
3423 distribution company or the financing entity that is the pledgor or
3424 transferor of the transition property, and the authority may require the
3425 [electric company or] electric distribution company or the financing
3426 entity to make other filings with respect to the security interest in
3427 accordance with procedures it may establish, provided that the filings
3428 shall not affect the perfection of the security interest.

3429 (c) A perfected security interest in transition property is a
3430 continuously perfected security interest in all revenues and proceeds
3431 arising with respect thereto, whether or not the revenues or proceeds
3432 have accrued. Conflicting security interests shall rank according to
3433 priority in time of perfection. Transition property shall constitute
3434 property for all purposes, including for contracts securing rate
3435 reduction bonds, whether or not the revenues and proceeds arising
3436 with respect thereto have accrued.

3437 (d) Subject to the terms of the security agreement covering the
3438 transition property and the rights of any third parties holding security
3439 interests in the transition property perfected in the manner described
3440 in this section, the validity and relative priority of a security interest
3441 created under this section are not defeated or adversely affected by the
3442 commingling of revenues arising with respect to the transition
3443 property with other funds of the [electric company or] electric
3444 distribution company that is the pledgor or transferor of, or the
3445 collection agent with respect to, the transition property, or by any
3446 security interest in a deposit account of that [electric company or]
3447 electric distribution company into which the revenues are deposited or
3448 in such revenues themselves perfected under article 9 of title 42a or
3449 otherwise. Subject to the terms of the security agreement, the pledgees
3450 of the transition property shall have a perfected security interest in all
3451 cash and deposit accounts of the [electric company or] electric
3452 distribution company in which revenues arising with respect to the
3453 transition property have been commingled with other funds, but the
3454 perfected security interest shall be limited to an amount not greater

3455 than the amount of the revenues with respect to the transition property
3456 received by the [electric company or] electric distribution company
3457 within twelve months before (1) any default under the security
3458 agreement, or (2) the institution of insolvency proceedings by or
3459 against the [electric company or] electric distribution company, less
3460 payments from the revenues to the pledgees during that twelve-month
3461 period.

3462 (e) If an event of default occurs under the security agreement
3463 covering the transition property, the pledgees of the transition
3464 property, subject to the terms of the security agreement, shall have all
3465 rights and remedies of a secured party upon default under article 9 of
3466 title 42a, and shall be entitled to foreclose or otherwise enforce their
3467 security interest in the transition property, subject to the rights of any
3468 third parties holding prior security interests in the transition property
3469 perfected in the manner provided in this section. In addition, the
3470 authority may require, in the financing order creating the transition
3471 property, that, in the event of default by the [electric company or]
3472 electric distribution company in payment of revenues arising with
3473 respect to the transition property, the authority and any successor
3474 thereto, upon the application by the pledgees or transferees, including
3475 transferees under this section, of the transition property, and without
3476 limiting any other remedies available to the pledgees or transferees by
3477 reason of the default, shall order the sequestration and payment to the
3478 pledgees or transferees of revenues arising with respect to the
3479 transition property. Any order shall remain in full force and effect
3480 notwithstanding any bankruptcy, reorganization, or other insolvency
3481 proceedings with respect to the debtor, pledgor, or transferor of the
3482 transition property. Any surplus in excess of amounts necessary to pay
3483 principal, premium, if any, interest, costs, and arrearages on the rate
3484 reduction bonds, and other costs arising under the security agreement,
3485 shall be remitted to the debtor or to the pledgor or transferor.

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

company, an affiliate of an [electric company or] electric distribution company, or a financing entity.

(g) This section sets forth the terms by which a consensual security interest can be created and perfected in the transition property. Unless otherwise ordered by the authority with respect to any series of rate reduction bonds on or prior to the issuance of the series, there shall exist a statutory lien as provided in this subsection. Upon the effective date of the financing order, there shall exist a first priority lien on all transition property then existing or thereafter arising pursuant to the terms of the financing order. This lien shall arise by operation of this section automatically without any action on the part of the [electric company or] electric distribution company, any affiliate thereof, the financing entity, or any other person. This lien shall secure all obligations, then existing or subsequently arising, to the holders of the rate reduction bonds issued pursuant to the financing order, the trustee or representative for the holders, and any other entity specified in the financing order. The persons for whose benefit this lien is established shall, upon the occurrence of any defaults specified in the financing order, have all rights and remedies of a secured party upon default under article 9 of title 42a, and shall be entitled to foreclose or otherwise enforce this statutory lien in the transition property. This lien shall attach to the transition property regardless of who shall own, or shall subsequently be determined to own, the transition property including any [electric company or] electric distribution company, any affiliate thereof, the financing entity, or any other person. This lien shall be valid, perfected, and enforceable against the owner of the transition property and all third parties upon the effectiveness of the financing order without any further public notice; provided, however, that any person may, but shall not be required to, file a financing statement in accordance with subsection (b) of this section. Financing statements so filed may be "protective filings" and shall not be evidence of the ownership of the transition property. A perfected statutory lien in transition property is a continuously perfected lien in all revenues and proceeds arising with respect thereto, whether or not

3522 the revenues or proceeds have accrued. Conflicting liens shall rank
3523 according to priority in time of perfection. Transition property shall
3524 constitute property for all purposes, including for contracts securing
3525 rate reduction bonds, whether or not the revenues and proceeds
3526 arising with respect thereto have accrued. In addition, the authority
3527 may require, in the financing order creating the transition property,
3528 that, in the event of default by the **[**electric company or**]** electric
3529 distribution company in payment of revenues arising with respect to
3530 transition property, the authority and any successor thereto, upon the
3531 application by the beneficiaries of the statutory lien, and without
3532 limiting any other remedies available to the beneficiaries by reason of
3533 the default, shall order the sequestration and payment to the
3534 beneficiaries of revenues arising with respect to the transition
3535 property. Any order shall remain in full force and effect
3536 notwithstanding any bankruptcy, reorganization, or other insolvency
3537 proceedings with respect to the debtor, pledgor, or transferor of the
3538 transition property. Any surplus in excess of amounts necessary to pay
3539 principal, premium, if any, interest, costs, and arrearages on the rate
3540 reduction bonds, and other costs arising in connection with the
3541 documents governing the rate reduction bonds, shall be remitted to the
3542 debtor or to the pledgor or transferor.

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

3556 enhancement with respect to rate reduction bonds, shall not impair or
3557 negate the characterization of any transfer as a true sale, in each case
3558 notwithstanding any contrary treatment of such transfer for
3559 accounting, tax or other purposes.

3560 (i) A transfer of transition property shall be deemed perfected as
3561 against third persons when both of the following have taken place:

3562 (1) The authority has issued the financing order authorizing the
3563 competitive transition assessment included in the transition property.

3564 (2) An assignment of the transition property in writing has been
3565 executed and delivered to the transferee.

3566 (j) As between bona fide assignees of the same right for value
3567 without notice, the assignee first filing a financing statement in
3568 accordance with part 5 of article 9 of title 42a naming the assignor of
3569 the transition property as debtor and identifying the transition
3570 property has priority. In such case, the financing statement shall be
3571 filed as if the debtor were located in this state. Any description of the
3572 transition property shall be sufficient if it refers to the financing order
3573 creating the transition property. A copy of the financing statement
3574 shall be filed by the assignee or the financing entity with the authority,
3575 and the authority may require the assignor or the assignee or the
3576 financing entity to make other filings with respect to the transfer in
3577 accordance with procedures it may establish, but these filings shall not
3578 affect the perfection of the transfer.

3579 (k) Any successor to the **[**electric company or**]** electric distribution
3580 company, whether pursuant to any bankruptcy, reorganization, or
3581 other insolvency proceeding, or pursuant to any merger, sale, or
3582 transfer, by operation of law, or otherwise, shall perform and satisfy all
3583 obligations of the **[**electric company or**]** electric distribution company
3584 pursuant to sections 16-245e to 16-245k, inclusive, <u>as amended by this</u>
3585 <u>act,</u> in the same manner and to the same extent as the **[**electric
3586 company or**]** electric distribution company, including, but not limited

3587 to, collecting and paying to the holders of rate reduction bonds or their
3588 representatives or the applicable financing entity revenues arising with
3589 respect to the transition property sold to the applicable financing entity
3590 or pledged to secure rate reduction bonds.

3591 (l) The authority of the Public Utilities Regulatory Authority to issue
3592 financing orders pursuant to sections 16-245e to 16-245k, inclusive, as
3593 amended by this act, shall expire on December 31, 2008, with respect to
3594 bonds other than economic recovery revenue bonds. The authority of
3595 the Public Utilities Regulatory Authority to issue financing orders
3596 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this
3597 act, with respect to economic recovery revenue bonds shall expire on
3598 December 31, 2012. The expiration of such authority shall have no
3599 effect upon financing orders adopted by the Public Utilities Regulatory
3600 Authority pursuant to sections 16-245e to 16-245k, inclusive, as
3601 amended by this act, or any transition property arising therefrom, or
3602 upon the charges authorized to be levied thereunder, or the rights,
3603 interests, and obligations of the **[**electric company or**]** electric
3604 distribution company or a financing entity or holders of rate reduction
3605 bonds pursuant to the financing order, or the authority of the Public
3606 Utilities Regulatory Authority to monitor, supervise, or take further
3607 action with respect to the financing order in accordance with the terms
3608 of sections 16-245e to 16-245k, inclusive, as amended by this act, and of
3609 the financing order.

3610 Sec. 91. Subsections (a) to (d), inclusive, of section 16-245o of the
3611 2014 supplement to the general statutes are repealed and the following
3612 is substituted in lieu thereof (*Effective from passage*):

3613 (a) To protect a customer's right to privacy from unwanted
3614 solicitation, each **[**electric company or**]** electric distribution company **[**,
3615 as the case may be,**]** shall distribute to each customer a form approved
3616 by the Public Utilities Regulatory Authority which the customer shall
3617 submit to the customer's **[**electric or**]** electric distribution company in a
3618 timely manner if the customer does not want the customer's name,
3619 address, telephone number and rate class to be released to electric

3620 suppliers. On and after July 1, 1999, each [electric or] electric
3621 distribution company [, as the case may be,] shall make available to all
3622 electric suppliers customer names, addresses, telephone numbers, if
3623 known, and rate class, unless the [electric company or] electric
3624 distribution company has received a form from a customer requesting
3625 that such information not be released. Additional information about a
3626 customer for marketing purposes shall not be released to any electric
3627 supplier unless a customer consents to a release by one of the
3628 following: (1) An independent third-party telephone verification; (2)
3629 receipt of a written confirmation received in the mail from the
3630 customer after the customer has received an information package
3631 confirming any telephone agreement; (3) the customer signs a
3632 document fully explaining the nature and effect of the release; or (4)
3633 the customer's consent is obtained through electronic means,
3634 including, but not limited to, a computer transaction.

3635 (b) All electric suppliers shall have equal access to customer
3636 information required to be disclosed under subsection (a) of this
3637 section. No electric supplier shall have preferential access to historical
3638 distribution company customer usage data.

3639 (c) No [electric or] electric distribution company shall include in any
3640 bill or bill insert anything that directly or indirectly promotes a
3641 generation entity or affiliate of the electric distribution company. No
3642 electric supplier shall include a bill insert in an electric bill of an
3643 electric distribution company.

3644 (d) All marketing information provided pursuant to the provisions
3645 of this section shall be formatted electronically by the [electric
3646 company or] electric distribution company [, as the case may be,] in a
3647 form that is readily usable by standard commercial software packages.
3648 Updated lists shall be made available within a reasonable time, as
3649 determined by the authority, following a request by an electric
3650 supplier. Each electric supplier seeking the information shall pay a fee
3651 to the [electric company or] electric distribution company [, as the case
3652 may be,] which reflects the incremental costs of formatting, sorting and

3653 distributing this information, together with related software changes.
3654 Customers shall be entitled to any available individual information
3655 about their loads or usage at no cost.

3656 Sec. 92. Subsection (a) of section 16-245p of the 2014 supplement to
3657 the general statutes is repealed and the following is substituted in lieu
3658 thereof (*Effective from passage*):

3659 (a) An electric supplier and an electric distribution company
3660 providing standard service or back-up electric generation service,
3661 pursuant to section 16-244c, as amended by this act, shall submit
3662 information to the Public Utilities Regulatory Authority that the
3663 authority determines will assist customers in making informed
3664 decisions when choosing an electric supplier, including, but not
3665 limited to, the information provided in subsection (b) of this section.
3666 Each supplier or electric distribution company providing standard
3667 service or back-up electric generation service, pursuant to section 16-
3668 244c, as amended by this act, shall, at such times as the authority
3669 requires, but not less than annually, submit in a form prescribed by the
3670 authority, information that the authority must make available
3671 pursuant to subsection (b) of this section and any other information the
3672 authority considers relevant. After the authority has received the
3673 information required pursuant to this subsection, the supplier shall be
3674 eligible to receive customer marketing information from **[**electric or**]**
3675 electric distribution companies, as provided in section 16-245o, as
3676 amended by this act.

3677 Sec. 93. Subsection (a) of section 16-245y of the 2014 supplement to
3678 the general statutes is repealed and the following is substituted in lieu
3679 thereof (*Effective from passage*):

3680 (a) Not later than October 1, 1999, and annually thereafter, each
3681 **[**electric company and**]** electric distribution company, as defined in
3682 section 16-1, as amended by this act, shall report to the Public Utilities
3683 Regulatory Authority its system average interruption duration index
3684 (SAIDI) and its system average interruption frequency index (SAIFI)

3685 for the preceding twelve months. For purposes of this section: (1)
3686 Interruptions shall not include outages attributable to major storms,
3687 scheduled outages and outages caused by customer equipment, each
3688 as determined by the authority; (2) SAIDI shall be calculated as the
3689 sum of customer interruptions in the preceding twelve-month period,
3690 in minutes, divided by the average number of customers served
3691 during that period; and (3) SAIFI shall be calculated as the total
3692 number of customers interrupted in the preceding twelve-month
3693 period, divided by the average number of customers served during
3694 that period. Not later than January 1, 2000, and annually thereafter, the
3695 authority shall report on the SAIDI and SAIFI data for each **[**electric
3696 company and**]** electric distribution company, and all state-wide SAIDI
3697 and SAIFI data to the joint standing committee of the General
3698 Assembly having cognizance of matters relating to energy.

3699 Sec. 94. Section 16-245ii of the general statutes is repealed and the
3700 following is substituted in lieu thereof (*Effective from passage*):

3701 Commencing January 1, 2012, each electric distribution **[**, electric**]**
3702 and gas company shall maintain and make available to the public, free
3703 of charge, records of the energy consumption data of all typical
3704 nonresidential buildings to which such company provides service. This
3705 data shall be maintained in a format (1) compatible for uploading to
3706 the United States Environmental Protection Agency's Energy Star
3707 portfolio manager or similar system, for at least the most recent thirty-
3708 six months, and (2) that preserves the confidentiality of the customer.

3709 Sec. 95. Section 16-245jj of the general statutes is repealed and the
3710 following is substituted in lieu thereof (*Effective from passage*):

3711 Commencing January 1, 2012, each electric distribution **[**, electric**]**
3712 and gas company shall provide aggregate town customer usage
3713 information by customer class that preserves the confidentiality of
3714 individual customers to any legislative body of a municipality that
3715 requests such information.

3716 Sec. 96. Subsection (a) of section 16-246e of the general statutes is
3717 repealed and the following is substituted in lieu thereof (*Effective from*
3718 *passage*):

3719 (a) The Governor may designate the Public Utilities Regulatory
3720 Authority as the agent of the state, subject only to the limitation under
3721 subsection (b) of this section, to conduct negotiations and perform all
3722 acts necessary to procure electric power capacity, power output from
3723 such capacity or both from any out-of-state electric power producer, to
3724 transmit it to within the state and to sell or resell it on a nonprofit basis
3725 for distribution within the state to electric distribution companies, as
3726 defined in section 16-1, as amended by this act, municipal electric
3727 utilities established under chapter 101, municipal electric energy
3728 cooperatives organized under chapter 101a, membership electric
3729 cooperatives organized under chapter 597 and such other persons or
3730 entities as may be designated by the Governor. The authority, if
3731 designated as such agent, shall arrange for the sale or resale of such
3732 power on an equitable basis and in such manner as it finds will most
3733 effectively promote the objectives of this title, chapters 101, 101a and
3734 597, and section 16a-35k, subject to any conditions or limitations
3735 imposed by the out-of-state electric power producer selling such
3736 power. The authority, if so designated, may also enter into any
3737 contracts or other arrangements for the sale or resale of such power for
3738 transmission outside the state if such sale or resale is reasonably
3739 incidental to and furthers the needs of the state and the purposes of
3740 this section.

3741 Sec. 97. Section 16-246f of the general statutes is repealed and the
3742 following is substituted in lieu thereof (*Effective from passage*):

3743 (a) As used in this section:

3744 (1) "Assistance" means any aid or support provided, or any actions
3745 taken by a domestic electric company for or on behalf of another
3746 domestic electric company or by a foreign electric company for or on
3747 behalf of a domestic electric company including, without limitation,

3748 the temporary transfer or use of repair personnel and equipment;

3749 (2) "Domestic electric company" means any [electric company or]
3750 electric distribution company, as defined in section 16-1, as amended
3751 by this act, any membership electric cooperative organized under
3752 chapter 597 and any municipal electric utility or municipal electric
3753 energy cooperative, as defined respectively in section 7-233b, which
3754 has been chartered by or organized or constituted within or under the
3755 laws of this state;

3756 (3) "Foreign electric company" [shall have the same meaning as
3757 provided in section 16-246a] means a corporation, company,
3758 association, joint stock association or trust organized under the laws of
3759 a state other than this state, as well as a town, city, borough, or any
3760 municipal corporation, department or agency thereof, whether
3761 separately incorporated or not, of a state other than this state,
3762 authorized under the laws of the state in which organized to generate
3763 or transmit electric energy.

3764 (b) Notwithstanding any contrary provision of any general statute
3765 or special act, or any limitation imposed by its charter, a domestic
3766 electric company shall have the power to request assistance from and
3767 provide assistance to other domestic electric companies and to foreign
3768 electric companies and to enter into agreements regarding the
3769 reimbursement of expenses and other matters and to perform such
3770 other acts as may be necessary or desirable to request and provide
3771 such assistance. A domestic electric company shall not be exempt from
3772 nor forfeit the benefits of the provisions of any applicable laws solely
3773 by requesting or providing such assistance, except as provided in this
3774 section.

3775 (c) Notwithstanding any contrary provision of any general statute
3776 or special act, a foreign electric company shall have the right to request
3777 assistance from and provide assistance to domestic electric companies
3778 and to enter into agreements regarding the reimbursement of expenses
3779 and other matters and to perform such other acts as may be necessary

3780 or desirable to request and provide such assistance. A foreign electric
3781 company shall not constitute an [("electric company")] "electric
3782 distribution company" or a "public service company" for the purposes
3783 of this title solely by requesting or providing assistance in this state.

3784 Sec. 98. Subsections (a) to (c), inclusive, of section 16-259a of the
3785 general statutes are repealed and the following is substituted in lieu
3786 thereof (*Effective from passage*):

3787 (a) No [electric,] electric distribution, gas or water company or
3788 electric supplier, which inaccurately bills a retail customer for service
3789 may bill or otherwise hold the customer financially liable for more
3790 than one year after the customer receives such service, unless the
3791 customer, either alone or with an individual other than an employee of
3792 the company, by an affirmative act, is responsible for the inaccurate
3793 billing or fails to provide for reasonable access to the premises where
3794 the company's meter is located by an employee of the company during
3795 business hours for the purpose of reading the meter.

3796 (b) Any such [electric,] electric distribution, gas or water company
3797 or electric supplier which inaccurately bills a retail customer for
3798 service may bill or otherwise hold the customer financially liable for
3799 not more than one year after the customer receives such service, unless
3800 a delayed bill for the service (1) would deprive the customer of the
3801 opportunity to apply for or receive energy assistance or (2) is the result
3802 of the customer's meter erroneously registering another customer's
3803 consumption, in which case the company may not bill or otherwise
3804 hold the customer liable for the service provided to another customer.

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

3812 responsible for the inaccurate billing.

3813 Sec. 99. Section 16-261 of the general statutes is repealed and the
3814 following is substituted in lieu thereof (*Effective from passage*):

3815 (a) The Public Utilities Regulatory Authority shall order and direct
3816 the **[**electric and**]** electric distribution companies providing electric
3817 distribution services in this state to extend lines in their chartered
3818 territory to all unserved areas having a density of subscribers for
3819 electric distribution service averaging at least two per mile on such
3820 proposed new lines, in accordance with the provisions of this section.

3821 (b) The Public Utilities Regulatory Authority is directed, in
3822 considering the rates of **[**electric or**]** electric distribution companies or
3823 in the proceedings having to do with such rates, to consider the
3824 expenses and revenues of each company as a whole, in arriving at a
3825 fair return on the fair value of such properties. In prescribing a rate for
3826 service on such new lines, the authority shall exercise its statutory
3827 powers, except that the guarantee required shall not exceed thirteen
3828 dollars and fifty cents per mile per month.

3829 (c) The Public Utilities Regulatory Authority is directed to advance
3830 the objects of this section in every lawful manner.

3831 (d) Nothing in this section shall authorize the Public Utilities
3832 Regulatory Authority to order and direct **[**electric or**]** electric
3833 distribution companies to extend their lines in their chartered territory
3834 over or under any body of water or elsewhere than along public
3835 highways unless said authority, exercising its powers under section 16-
3836 20, finds such extension to be economically justifiable.

3837 Sec. 100. Section 16-262c of the 2014 supplement to the general
3838 statutes is repealed and the following is substituted in lieu thereof
3839 (*Effective from passage*):

3840 (a) Notwithstanding any other provision of the general statutes no
3841 **[**electric,**]** electric distribution, gas, telephone or water company, no

3842 electric supplier or certified telecommunications provider, and no
3843 municipal utility furnishing electric, gas, telephone or water service
3844 shall cause cessation of any such service by reason of delinquency in
3845 payment for such service (1) on any Friday, Saturday, Sunday, legal
3846 holiday or day before any legal holiday, provided such a company,
3847 electric supplier, certified telecommunications provider or municipal
3848 utility may cause cessation of such service to a nonresidential account
3849 on a Friday which is not a legal holiday or the day before a legal
3850 holiday when the business offices of the company, electric supplier,
3851 certified telecommunications provider or municipal utility are open to
3852 the public the succeeding Saturday, (2) at any time during which the
3853 business offices of said company, electric supplier, certified
3854 telecommunications provider or municipal utility are not open to the
3855 public, or (3) within one hour before the closing of the business offices
3856 of said company, electric supplier or municipal utility.

3857 (b) (1) From November first to May first, inclusive, no **[**electric or**]**
3858 electric distribution company, as defined in section 16-1, <u>as amended</u>
3859 <u>by this act,</u> no electric supplier and no municipal utility furnishing
3860 electricity shall terminate, deny or refuse to reinstate residential
3861 electric service in hardship cases where the customer lacks the
3862 financial resources to pay his or her entire account. From November
3863 first to May first, inclusive, no gas company and no municipal utility
3864 furnishing gas shall terminate, deny or refuse to reinstate residential
3865 gas service in hardship cases where the customer uses such gas for
3866 heat and lacks the financial resources to pay his or her entire account,
3867 except a gas company that, between May second and October thirty-
3868 first, terminated gas service to a residential customer who uses gas for
3869 heat and who, during the previous period of November first to May
3870 first, had gas service maintained because of hardship status, may
3871 refuse to reinstate the gas service from November first to May first,
3872 inclusive, only if the customer has failed to pay, since the preceding
3873 November first, the lesser of: (A) Twenty per cent of the outstanding
3874 principal balance owed the gas company as of the date of termination,
3875 (B) one hundred dollars, or (C) the minimum payments due under the

3876 customer's amortization agreement. Notwithstanding any other
3877 provision of the general statutes to the contrary, no [electric,] electric
3878 distribution or gas company, no electric supplier and no municipal
3879 utility furnishing electricity or gas shall terminate, deny or refuse to
3880 reinstate residential electric or gas service where the customer lacks the
3881 financial resources to pay his or her entire account and for which
3882 customer or a member of the customer's household the termination,
3883 denial of or failure to reinstate such service would create a life-
3884 threatening situation. No [electric,] electric distribution or gas
3885 company, no electric supplier and no municipal utility furnishing
3886 electricity or gas shall terminate, deny or refuse to reinstate residential
3887 electric or gas service where the customer is a hardship case and lacks
3888 the financial resources to pay his or her entire account and a child not
3889 more than twenty-four months old resides in the customer's household
3890 and such child has been admitted to the hospital and received
3891 discharge papers on which the attending physician or an advanced
3892 practice registered nurse has indicated such service is a necessity for
3893 the health and well being of such child.

3894 (2) During any period in which a residential customer is subject to
3895 termination, an [electric,] electric distribution or gas company, an
3896 electric supplier or a municipal utility furnishing electricity or gas shall
3897 provide such residential customer whose account is delinquent an
3898 opportunity to enter into a reasonable amortization agreement with
3899 such company, electric supplier or utility to pay such delinquent
3900 account and to avoid termination of service. Such amortization
3901 agreement shall allow such customer adequate opportunity to apply
3902 for and receive the benefits of any available energy assistance
3903 program. An amortization agreement shall be subject to amendment
3904 on customer request if there is a change in the customer's financial
3905 circumstances.

3906 (3) As used in this section, (A) "household income" means the
3907 combined income over a twelve-month period of the customer and all
3908 adults, except children of the customer, who are and have been

3909 members of the household for six months or more, and (B) "hardship
3910 case" includes, but is not limited to: (i) A customer receiving local, state
3911 or federal public assistance; (ii) a customer whose sole source of
3912 financial support is Social Security, Veterans' Administration or
3913 unemployment compensation benefits; (iii) a customer who is head of
3914 the household and is unemployed, and the household income is less
3915 than three hundred per cent of the poverty level determined by the
3916 federal government; (iv) a customer who is seriously ill or who has a
3917 household member who is seriously ill; (v) a customer whose income
3918 falls below one hundred twenty-five per cent of the poverty level
3919 determined by the federal government; and (vi) a customer whose
3920 circumstances threaten a deprivation of food and the necessities of life
3921 for himself or dependent children if payment of a delinquent bill is
3922 required.

3923 (4) In order for a residential customer of a gas or electric distribution
3924 company using gas or electricity for heat to be eligible to have any
3925 moneys due and owing deducted from the customer's delinquent
3926 account pursuant to this subdivision, the company furnishing gas or
3927 electricity shall require that the customer (A) apply and be eligible for
3928 benefits available under the Connecticut energy assistance program or
3929 state appropriated fuel assistance program; (B) authorize the company
3930 to send a copy of the customer's monthly bill directly to any energy
3931 assistance agency for payment; (C) enter into and comply with an
3932 amortization agreement, which agreement is consistent with decisions
3933 and policies of the Public Utilities Regulatory Authority. Such an
3934 amortization agreement shall reduce a customer's payment by the
3935 amount of the benefits reasonably anticipated from the Connecticut
3936 energy assistance program, state appropriated fuel assistance program
3937 or other energy assistance sources. Unless the customer requests
3938 otherwise, the company shall budget a customer's payments over a
3939 twelve-month period with an affordable increment to be applied to
3940 any arrearage, provided such payment plan will not result in loss of
3941 any energy assistance benefits to the customer. If a customer
3942 authorizes the company to send a copy of his monthly bill directly to

3943 any energy assistance agency for payment, the energy assistance
3944 agency shall make payments directly to the company. If, on April
3945 thirtieth, a customer has been in compliance with the requirements of
3946 subparagraphs (A) to (C), inclusive, of this subdivision, during the
3947 period starting on the preceding November first, or from such time as
3948 the customer's account becomes delinquent, the company shall deduct
3949 from such customer's delinquent account an additional amount equal
3950 to the amount of money paid by the customer between the preceding
3951 November first and April thirtieth and paid on behalf of the customer
3952 through the Connecticut energy assistance program and state
3953 appropriated fuel assistance program. Any customer in compliance
3954 with the requirements of subparagraphs (A) to (C), inclusive, of this
3955 subdivision, on April thirtieth who continues to comply with an
3956 amortization agreement through the succeeding October thirty-first,
3957 shall also have an amount equal to the amount paid pursuant to such
3958 agreement and any amount paid on behalf of such customer between
3959 May first and the succeeding October thirty-first deducted from the
3960 customer's delinquent account. In no event shall the deduction of any
3961 amounts pursuant to this subdivision result in a credit balance to the
3962 customer's account. No customer shall be denied the benefits of this
3963 subdivision due to an error by the company. The Public Utilities
3964 Regulatory Authority shall allow the amounts deducted from the
3965 customer's account pursuant to the implementation plan, described in
3966 subdivision (5) of this subsection, to be recovered by the company in
3967 its rates as an operating expense, pursuant to said implementation
3968 plan. If the customer fails to comply with the terms of the amortization
3969 agreement or any decision of the authority rendered in lieu of such
3970 agreement and the requirements of subparagraphs (A) to (C),
3971 inclusive, of this subdivision, the company may terminate service to
3972 the customer, pursuant to all applicable regulations, provided such
3973 termination shall not occur between November first and May first.

3974 (5) Each gas and electric distribution company shall submit to the
3975 Public Utilities Regulatory Authority annually, on or before July first,
3976 an implementation plan which shall include information concerning

3977 amortization agreements, counseling, reinstatement of eligibility, rate
3978 impacts and any other information deemed relevant by the authority.
3979 The Public Utilities Regulatory Authority may, in consultation with the
3980 Office of Policy and Management, approve or modify such plan within
3981 ninety days of receipt of the plan. If the authority does not take any
3982 action on such plan within ninety days of its receipt, the plan shall
3983 automatically take effect at the end of the ninety-day period, provided
3984 the authority may extend such period for an additional thirty days by
3985 notifying the company before the end of the ninety-day period. Any
3986 amount recovered by a company in its rates pursuant to this
3987 subsection shall not include any amount approved by the Public
3988 Utilities Regulatory Authority as an uncollectible expense. The
3989 authority may deny all or part of the recovery required by this
3990 subsection if it determines that the company seeking recovery has been
3991 imprudent, inefficient or acting in violation of statutes or regulations
3992 regarding amortization agreements.

3993 (6) On or after January 1, 1993, the Public Utilities Regulatory
3994 Authority may require gas companies to expand the provisions of
3995 subdivisions (4) and (5) of this subsection to all hardship customers.
3996 Any such requirement shall not be effective until November 1, 1993.

3997 (7) (A) All **[**electric,**]** electric distribution and gas companies, electric
3998 suppliers and municipal utilities furnishing electricity or gas shall
3999 collaborate in developing, subject to approval by the Public Utilities
4000 Regulatory Authority, standard provisions for the notice of
4001 delinquency and impending termination under subsection (a) of
4002 section 16-262d<u>, as amended by this act</u>. Each such company and
4003 utility shall place on the front of such notice a provision that the
4004 company, electric supplier or utility shall not effect termination of
4005 service to a residential dwelling for nonpayment of disputed bills
4006 during the pendency of any complaint. In addition, the notice shall
4007 state that the customer must pay current and undisputed bill amounts
4008 during the pendency of the complaint. (B) At the beginning of any
4009 discussion with a customer concerning a reasonable amortization

4010 agreement, any such company or utility shall inform the customer (i)
4011 of the availability of a process for resolving disputes over what
4012 constitutes a reasonable amortization agreement, (ii) that the company,
4013 electric supplier or utility will refer such a dispute to one of its review
4014 officers as the first step in attempting to resolve the dispute, and (iii)
4015 that the company, electric supplier or utility shall not effect
4016 termination of service to a residential dwelling for nonpayment of a
4017 delinquent account during the pendency of any complaint,
4018 investigation, hearing or appeal initiated by the customer, unless the
4019 customer fails to pay undisputed bills, or undisputed portions of bills,
4020 for service received during such period. (C) Each such company,
4021 electric supplier and utility shall inform and counsel all customers who
4022 are hardship cases as to the availability of all public and private energy
4023 conservation programs, including programs sponsored or subsidized
4024 by such companies and utilities, eligibility criteria, where to apply, and
4025 the circumstances under which such programs are available without
4026 cost.

4027 (8) The Public Utilities Regulatory Authority shall adopt regulations
4028 in accordance with chapter 54 to carry out the provisions of this
4029 subsection. Such regulations shall include, but not be limited to,
4030 criteria for determining hardship cases and for reasonable
4031 amortization agreements, including appeal of such agreements, for
4032 categories of customers. Such regulations may include the
4033 establishment of a reasonable rate of interest which a company may
4034 charge on the unpaid balance of a customer's delinquent bill and a
4035 description of the relationship and responsibilities of electric suppliers
4036 to customers.

4037 (c) Each **[**electric,**]** electric distribution and gas company, electric
4038 supplier and municipal utility shall, not later than December first,
4039 annually, submit a report to the authority and the General Assembly
4040 indicating (1) the number of customers in each of the following
4041 categories and the total delinquent balances for such customers as of
4042 the preceding May first: (A) Customers who are hardship cases and (i)

4043 who made arrangements for reasonable amortization agreements, (ii)
4044 who did not make such arrangements, and (B) customers who are
4045 nonhardship cases and who made arrangements for reasonable
4046 amortization, (2) (A) the number of heating customers receiving
4047 energy assistance during the preceding heating season and the total
4048 amount of such assistance, and (B) the total balance of the accounts of
4049 such customers after all energy assistance is applied to the accounts,
4050 (3) the number of hardship cases reinstated between November first of
4051 the preceding year and May first of the same year, the number of
4052 hardship cases terminated between May first of the same year and
4053 November first and the number of hardship cases reinstated during
4054 each month from May to November, inclusive, of the same year, (4) the
4055 number of reasonable amortization agreements executed and the
4056 number breached during the same year by (A) hardship cases, and (B)
4057 nonhardship cases, and (5) the number of accounts of (A) hardship
4058 cases, and (B) nonhardship cases for which part or all of the
4059 outstanding balance is written off as uncollectible during the
4060 preceding year and the total amount of such uncollectibles.

4061 (d) Nothing in this section shall (1) prohibit a public service
4062 company, electric supplier or municipal utility from terminating
4063 residential utility service upon request of the customer or in
4064 accordance with section 16-262d, as amended by this act, upon default
4065 by the customer on an amortization agreement or collecting delinquent
4066 accounts through legal processes, including the processes authorized
4067 by section 16-262f, as amended by this act, or (2) relieve such company,
4068 electric supplier or municipal utility of its responsibilities set forth in
4069 sections 16-262d, as amended by this act, and 16-262e, as amended by
4070 this act, to occupants of residential dwellings or, with respect to a
4071 public service company or electric supplier, the responsibilities set
4072 forth in section 19a-109.

4073 (e) No provision of the Freedom of Information Act, as defined in
4074 section 1-200, shall be construed to require or permit a municipal
4075 utility furnishing electric, gas or water service, a municipality

4076 furnishing water or sewer service, a district established by special act
4077 or pursuant to chapter 105 and furnishing water or sewer service or a
4078 regional authority established by special act to furnish water or sewer
4079 service to disclose records under the Freedom of Information Act, as
4080 defined in section 1-200, which identify or could lead to identification
4081 of the utility usage or billing information of individual customers, to
4082 the extent such disclosure would constitute an invasion of privacy.
4083 Nothing in this section prohibits the disclosure of delinquencies or
4084 enforcement actions.

4085 (f) If an electric supplier suffers a loss of revenue by operation of
4086 this section, the supplier may make a claim for such revenue to the
4087 authority. The electric distribution company shall reimburse the
4088 electric supplier for such losses found to be reasonable by the authority
4089 at the lower of (1) the price of the contract between the supplier and
4090 the customer, or (2) the electric distribution company's price to
4091 customers for default service, as determined by the authority. The
4092 electric distribution company may recover such reimbursement, along
4093 with transaction costs, through the systems benefits charge.

4094 Sec. 101. Subsection (a) of section 16-262d of the general statutes is
4095 repealed and the following is substituted in lieu thereof (*Effective from*
4096 *passage*):

4097 (a) No **[**electric,**]** electric distribution, gas, telephone or water
4098 company, no electric supplier and no municipal utility furnishing
4099 electric, gas or water service may terminate such service to a
4100 residential dwelling on account of nonpayment of a delinquent
4101 account unless such company, electric supplier or municipal utility
4102 first gives notice of such delinquency and impending termination by
4103 first class mail addressed to the customer to which such service is
4104 billed, at least thirteen calendar days prior to the proposed
4105 termination, except that if an **[**electric,**]** electric distribution or gas
4106 company, electric supplier or municipal utility furnishing electric or
4107 gas service has issued a notice under this subsection but has not
4108 terminated service prior to issuing a new bill to the customer, such

company, electric supplier or municipal utility may terminate such service only after mailing the customer an additional notice of the impending termination, addressed to the customer to which such service is billed either (1) by first class mail at least thirteen calendar days prior to the proposed termination, or (2) by certified mail, at least seven calendar days prior to the proposed termination. In the event that multiple dates of proposed termination are provided to a customer, no such company, electric supplier or municipal utility shall terminate service prior to the latest of such dates. For purposes of this subsection, the thirteen-day periods and seven-day period shall commence on the date such notice is mailed. If such company, electric supplier or municipal utility does not terminate service within one hundred twenty days after mailing the initial notice of termination, such company, electric supplier or municipal utility shall give the customer a new notice at least thirteen days prior to termination. Every termination notice issued by a public service company, electric supplier or municipal utility shall contain or be accompanied by an explanation of the rights of the customer provided in subsection (c) of this section.

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

(a) Notwithstanding the provisions of section 16-262d, <u>as amended by this act,</u> wherever an owner, agent, lessor or manager of a residential dwelling is billed directly by an **[**electric,**]** electric distribution, gas, telephone or water company or by a municipal utility for utility service furnished to such building not occupied exclusively by such owner, agent, lessor, or manager, and such company or municipal utility or the electric supplier providing electric generation services has actual or constructive knowledge that the occupants of such dwelling are not the individuals to whom the company or municipal utility usually sends its bills, such company, electric supplier or municipal utility shall not terminate such service for

4142 nonpayment of a delinquent account owed to such company, electric
4143 supplier or municipal utility by such owner, agent, lessor or manager
4144 unless: (1) Such company, electric supplier or municipal utility makes
4145 a good faith effort to notify the occupants of such building of the
4146 proposed termination by the means most practicable under the
4147 circumstances and best designed to provide actual notice; and (2) such
4148 company, electric supplier or municipal utility provides an
4149 opportunity, where practicable, for such occupants to receive service in
4150 their own names without any liability for the amount due while
4151 service was billed directly to the lessor, owner, agent or manager and
4152 without the necessity for a security deposit; provided, if it is not
4153 practicable for such occupants to receive service in their own names,
4154 the company, electric supplier or municipal utility shall not terminate
4155 service to such residential dwelling but may pursue the remedy
4156 provided in sections 16-262f, as amended by this act, and 16-262t.

4157 Sec. 103. Subsection (a) of section 16-262f of the 2014 supplement to
4158 the general statutes is repealed and the following is substituted in lieu
4159 thereof (*Effective from passage*):

4160 (a) (1) Upon default of the owner, agent, lessor or manager of a
4161 residential dwelling who is billed directly by an **[**electric,**]** electric
4162 distribution, gas or telephone company or by a municipal utility for
4163 electric or gas utility service furnished to such building, such company
4164 or municipal utility or electric supplier providing electric generation
4165 services may petition the Superior Court or a judge thereof, for
4166 appointment of a receiver of the rents or payments for use and
4167 occupancy or common expenses, as defined in section 47-202, for any
4168 dwelling for which the owner, agent, lessor or manager is in default.
4169 The court or judge shall forthwith issue an order to show cause why a
4170 receiver should not be appointed, which shall be served upon the
4171 owner, agent, lessor or manager or his agent in a manner most
4172 reasonably calculated to give notice to such owner, agent, lessor or
4173 manager as determined by such court or judge, including, but not
4174 limited to, a posting of such order on the premises in question.

4175 (2) A hearing shall be had on such order no later than seventy-two
4176 hours after its issuance or the first court day thereafter. The sole
4177 purpose of such a hearing shall be to determine whether there is an
4178 amount due and owing between the owner, agent, lessor or manager
4179 and the company, electric supplier or municipal utility. The court shall
4180 make a determination of any amount due and owing and any amount
4181 so determined shall constitute a lien upon the real property of such
4182 owner. A certificate of such amount may be recorded in the land
4183 records of the town in which such property is located describing the
4184 amount of the lien and the name of the party in default. When the
4185 amount due and owing has been paid the company, electric supplier
4186 or municipality shall issue a certificate discharging the lien and shall
4187 file the certificate in the land records of the town in which such lien
4188 was recorded.

4189 (3) The receiver appointed by the court shall collect all rents or
4190 payments for use and occupancy or common expenses forthcoming
4191 from or paid on behalf of the occupants or residents of the building or
4192 facility in question in place of the owner, agent, lessor, manager or
4193 administrator. The receiver may also petition the court to obtain any
4194 remedy available under chapter 906 against such owner, agent, lessor
4195 or manager in order to recover amounts due as determined under
4196 subdivision (2) of this subsection and continuing charges for such
4197 utility service until all such charges and other costs have been paid.

4198 (4) The receiver shall pay the petitioner or other supplier, from such
4199 rents or payments for use and occupancy or common expenses for
4200 electric, gas, telephone, water or heating oil supplied on and after the
4201 date of his appointment. The owner, agent, lessor or manager shall be
4202 liable for such reasonable fees and costs determined by the court to be
4203 due the receiver, which fees and costs may be recovered from the rents
4204 or payments for use and occupancy under the control of the receiver,
4205 provided no such fees or costs shall be recovered until after payment
4206 for current electric, gas, telephone and water service and heating oil
4207 deliveries has been made. The owner, agent, lessor or manager shall be

4208 liable to the petitioner for reasonable attorney's fees and costs incurred
4209 by the petitioner, provided no such fees or costs shall be recovered
4210 until after payment for current electric, gas, telephone and water
4211 service and heating oil deliveries has been made and after payments of
4212 reasonable fees and costs to the receiver. Any moneys from rental
4213 payments or payments for use and occupancy or common expenses
4214 remaining after payment for current electric, gas, telephone and water
4215 service or heating oil deliveries, and after payment for reasonable costs
4216 and fees to the receiver, and after payment to the petitioner for
4217 reasonable attorney's fees and costs, shall be applied to any arrearage
4218 found by the court to be due and owing the company, electric supplier
4219 or municipal utility from the owner, agent, lessor or manager for
4220 service provided such building. Any moneys remaining thereafter
4221 shall be turned over to the owner, agent, lessor or manager. The court
4222 may order an accounting to be made at such times as it determines to
4223 be just, reasonable, and necessary.

4224 Sec. 104. Subsection (b) of section 16-262i of the general statutes is
4225 repealed and the following is substituted in lieu thereof (*Effective from*
4226 *passage*):

4227 (b) The authority may adopt regulations, in accordance with the
4228 provisions of chapter 54, setting forth the terms and conditions under
4229 which **[**electric,**]** electric distribution, gas, telephone and water
4230 companies, electric suppliers, certified telecommunications providers
4231 and municipal utilities furnishing electric, gas or water service may be
4232 prohibited from terminating service to a residential dwelling on
4233 account of nonpayment of a delinquent account in the name of the
4234 former spouse or spouse of the individual who occupies the dwelling,
4235 if the marriage of such individuals has been dissolved or annulled or
4236 such individuals are legally separated or have an action for dissolution
4237 or annulment of a marriage or for legal separation pending, pursuant
4238 to chapter 815j.

4239 Sec. 105. Section 16a-37f of the general statutes is repealed and the
4240 following is substituted in lieu thereof (*Effective from passage*):

4241 A budgeted agency, as defined in section 4-69, shall only purchase
4242 replacement light bulbs which (1) are provided under an electric
4243 distribution company's customer lighting efficiency program, (2) are
4244 equivalent in energy efficiency to bulbs provided under such electric
4245 distribution company lighting efficiency program, as determined by
4246 the Commissioner of Energy and Environmental Protection, in
4247 consultation with the Commissioner of Administrative Services, or (3)
4248 meet such other life-cycle cost analysis standards as the Commissioner
4249 of Energy and Environmental Protection, with the concurrence of the
4250 Commissioner of Administrative Services, may designate.

4251 Sec. 106. Subsections (e) and (f) of section 16a-40b of the 2014
4252 supplement to the general statutes are repealed and the following is
4253 substituted in lieu thereof (*Effective from passage*):

4254 (e) The commissioner shall adopt regulations in accordance with
4255 chapter 54, (1) concerning qualifications for such loans or deferred
4256 loans, requirements and limitations as to adjustments of terms and
4257 conditions of repayment and any additional requirements deemed
4258 necessary to carry out the provisions of this section and to assure that
4259 those tax-exempt bonds and notes used to fund such loans or deferred
4260 loans qualify for exemption from federal income taxation, (2)
4261 providing for the maximum feasible availability of such loans or
4262 deferred loans for dwelling units owned or occupied by persons of low
4263 and moderate income, (3) establishing procedures to inform such
4264 persons of the availability of such loans or deferred loans and to
4265 encourage and assist them to apply for such loans or deferred loans,
4266 and (4) providing that (A) the interest payments received from the
4267 recipients of loans or deferred loans made on and after July 1, 1982,
4268 less the expenses incurred by the commissioner in the implementation
4269 of the program of loans, deferred loans and loan guarantees under this
4270 section, and (B) the payments received from electric distribution and
4271 gas companies under subsection (f) of this section shall be applied to
4272 reimburse the General Fund for interest on the outstanding bonds and
4273 notes used to fund such loans or deferred loans made on or after July

4274 1, 1982.

4275 (f) Not later than August first, annually, the commissioner shall
4276 calculate the difference between (1) the weighted average of the
4277 percentage rates of interest payable on all subsidized loans made (A)
4278 after July 1, 1982, from the Energy Conservation Loan Fund, and (B)
4279 from the Housing Repayment and Revolving Loan Fund pursuant to
4280 this section, and (2) the average of the percentage rates of interest on
4281 any bonds and notes issued pursuant to section 3-20, which have been
4282 dedicated to the energy conservation loan program and used to fund
4283 such loans, and multiply such difference by the outstanding amount of
4284 all such loans, or such lesser amount as may be required under Section
4285 103(c) of the Internal Revenue Code of 1986, or any subsequent
4286 corresponding internal revenue code of the United States, as from time
4287 to time amended. The product of such difference and such applicable
4288 amount shall not exceed six per cent of the sum of the outstanding
4289 principal amount at the end of each fiscal year of all loans or deferred
4290 loans made (A) on or after July 1, 1982, from the Energy Conservation
4291 Loan Fund, and (B) from the Housing Repayment and Revolving Loan
4292 Fund pursuant to this section, and the balance remaining in the Energy
4293 Conservation Loan Fund and the balance of energy conservation loan
4294 repayments in the Housing Repayment and Revolving Loan Fund. Not
4295 later than September first, annually, the Public Utilities Regulatory
4296 Authority shall allocate such product among each electric distribution
4297 and gas company having at least seventy-five thousand customers, in
4298 accordance with a formula taking into account, without limitation, the
4299 average number of residential customers of each company. Not later
4300 than October first, annually, each such company shall pay its assessed
4301 amount to the commissioner. The commissioner shall pay to the State
4302 Treasurer for deposit in the General Fund all such payments from
4303 electric distribution and gas companies, and shall adopt procedures to
4304 assure that such payments are not used for purposes other than those
4305 specifically provided in this section. The authority shall include each
4306 company's payment as an operating expense of the company for the
4307 purposes of rate-making under section 16-19, as amended by this act.

4308 Sec. 107. Section 16a-41h of the general statutes is repealed and the
4309 following is substituted in lieu thereof (*Effective from passage*):

4310 (a) (1) Each electric distribution company, gas company and
4311 municipal utility furnishing electric or gas service, shall include in its
4312 monthly bills a request to each customer to add a donation in an
4313 amount designated by the customer to the bill payment. Such
4314 company shall provide to all of its customers the opportunity to
4315 donate one dollar, two dollars, three dollars or another amount on
4316 each bill provided to a customer either through the mail or
4317 electronically. Such designation shall be made available and included
4318 where customers are either electronically billed or bill payment is
4319 handled electronically. The opportunity to donate one dollar, two
4320 dollars, three dollars or another amount shall be included on the bill in
4321 such a way that facilitates such donations.

4322 (2) Operation Fuel, Incorporated, shall provide fundraising inserts
4323 and remittance envelopes to retail dealers of fuel oil that volunteer to
4324 include the inserts and envelopes in their customers' bills for one or
4325 more billing cycles each year. Such retail dealers of fuel oil shall inform
4326 Operation Fuel, Incorporated, as to the number of inserts and
4327 envelopes needed to conduct such a mailing.

4328 (3) Each electric distribution, gas or fuel oil company shall transmit
4329 all such donations received each month, as well as their own
4330 contributions, if any, to Operation Fuel, Incorporated, a state-wide
4331 nonprofit organization designed to respond to people within the state
4332 who are in financial crisis and need emergency energy assistance.
4333 Operation Fuel, Incorporated shall distribute donations to nonprofit
4334 social services agencies and private fuel banks in accordance with
4335 guidelines established by the board of directors of Operation Fuel,
4336 Incorporated, provided such funds shall be distributed on a priority
4337 basis to low-income elderly and working poor households that are not
4338 eligible for public assistance or state-administered general assistance
4339 but are faced with a financial crisis and are unable to make timely
4340 payments on winter fuel, electricity or gas bills. Such companies shall

4341 coordinate their promotions of this program, holding promotions
4342 during the same month and using similar formats.

4343 (b) If Operation Fuel, Inc. ceases to exist, such electric distribution
4344 and gas companies shall jointly establish a nonprofit, tax-exempt
4345 corporation for the purpose of holding in trust and distributing such
4346 customer donations. The board of directors of such corporation shall
4347 consist of eleven members appointed as follows: Four by the
4348 companies, each of which shall appoint one member; one by the
4349 president pro tempore of the Senate; one by the minority leader of the
4350 Senate; one by the speaker of the House of Representatives; one by the
4351 minority leader of the House of Representatives; and three by the
4352 Governor. The board shall distribute such funds to nonprofit
4353 organizations and social service agencies which provide emergency
4354 energy or fuel assistance. The board shall target available funding on a
4355 priority basis to low-income elderly and working poor households
4356 which are not eligible for public assistance or state-administered
4357 general assistance but are faced with a financial crisis and are unable to
4358 make timely payments on winter fuel, electricity or gas bills.

4359 (c) Not later than the first of September annually, Operation Fuel,
4360 Inc. shall submit to the General Assembly a report on the
4361 implementation of this section. Such report shall include, (1) a
4362 summary of the effectiveness of the program, (2) the total amount of
4363 the donations received by electric distribution and gas companies and
4364 transmitted to Operation Fuel, Inc. under subsection (b) of this section,
4365 and (3) an accounting of the distribution of such funds by Operation
4366 Fuel, Inc. indicating the organizations and agencies receiving funds,
4367 the amounts received and distributed by each such organization and
4368 agency and the number of households each assisted. On and after
4369 October 1, 1996, the report shall be submitted to the joint standing
4370 committee of the General Assembly having cognizance of matters
4371 relating to energy and, upon request, to any member of the General
4372 Assembly. A summary of the report shall be submitted to each
4373 member of the General Assembly if the summary is two pages or less

4374 and a notification of the report shall be submitted to each member if
4375 the summary is more than two pages. Submission shall be by mailing
4376 the report, summary or notification to the legislative address of each
4377 member of the committee or the General Assembly, as applicable.

4378 Sec. 108. Section 22a-66k of the general statutes is repealed and the
4379 following is substituted in lieu thereof (*Effective from passage*):

4380 (a) Each electric distribution company, as defined in section 16-1, as
4381 amended by this act, shall submit a utilities pesticide management
4382 plan to the Commissioner of Energy and Environmental Protection for
4383 approval with the concurrence of the Public Utilities Regulatory
4384 Authority. A plan shall be revised at such time as the electric
4385 distribution company filing the plan or the commissioner determines
4386 provided such plan shall be revised not less than once every five years.

4387 (b) Any electric distribution company, as defined in section 16-1, as
4388 amended by this act, telephone company, as defined in section 16-1, as
4389 amended by this act, or telecommunications company, as defined in
4390 section 16-1, as amended by this act, which provides for the
4391 application of a pesticide within a right-of-way maintained by such
4392 company shall ensure that owners, occupants or tenants of buildings
4393 or dwellings that are located on property which abuts such right-of-
4394 way, or property within which such right-of-way lies, are notified at
4395 least forty-eight hours prior to the application. Notice may be made by
4396 any method, including telephone, mail or personal notification. Any
4397 such company which provides for the application of pesticides in
4398 connection with removal of trees or brush from private property shall
4399 obtain the consent of the owner, occupant or tenant of such property
4400 prior to the application. Notwithstanding the provisions of section 23-
4401 65, any such company which provides for the application of pesticides
4402 to any utility pole, after it has been installed, for purposes of
4403 maintaining, preserving or extending the useful life of the pole shall
4404 post notice of such application on each such pole.

4405 (c) The commissioner shall adopt regulations in accordance with the

4406 provisions of chapter 54 setting forth the contents of a pesticide
4407 management plan. Such regulations shall include provisions for the
4408 on-site posting of a notice of a pesticide application. A notice required
4409 by such regulations may be posted at the time of or after the
4410 application, provided the time of such posting shall be sufficient to
4411 protect persons engaged in a lawful public recreational use of any
4412 unimproved real property in which such application is made.

4413 Sec. 109. Section 29-317 of the general statutes, as amended by
4414 section 7 of public act 09-177, sections 1 and 6 of public act 10-54,
4415 section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is
4416 repealed and the following is substituted in lieu thereof (*Effective*
4417 *January 1, 2015*):

4418 (a) The Commissioner of Administrative Services shall adopt
4419 regulations, in accordance with the provisions of chapter 54,
4420 prescribing reasonable minimum requirements for the installation of
4421 oil burners and equipment used in connection therewith, including
4422 tanks, piping, pumps, control devices and accessories. Such
4423 regulations shall be incorporated into the State Fire Prevention Code
4424 and shall include provisions for the prevention of injury to life and
4425 damage to property, and protection from hazards incident to the
4426 installation and operation of such oil burners and equipment.

4427 (b) No regulation made in accordance with this section shall apply
4428 to any **[**electric company,**]** gas company or electric distribution
4429 company, as such terms are defined in section 16-1<u>, as amended by this</u>
4430 <u>act</u>.

4431 Sec. 110. Section 29-320 of the general statutes is repealed and the
4432 following is substituted in lieu thereof (*Effective from passage*):

4433 The Commissioner of Administrative Services shall make and
4434 enforce, and may amend, reasonable regulations concerning the safe
4435 storage, use, transportation by any mode and transmission by pipeline
4436 of flammable or combustible liquids. In adopting such regulations,

4437 said commissioner may adopt by reference standards concerning
4438 flammable or combustible liquids as set forth by the National Fire
4439 Protection Association for the prevention of damage to property and
4440 injury to life, and protection from hazards incident to the storage, use,
4441 transportation by any mode and transmission by pipeline of such
4442 liquids. Such regulations shall not apply to **[**electric,**]** electric
4443 distribution and gas companies, as defined in section 16-1, as amended
4444 by this act.

4445 Sec. 111. Section 29-230 of the general statutes, as amended by
4446 section 8 of public act 09-177, sections 2 and 6 of public act 10-54,
4447 section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is
4448 repealed and the following is substituted in lieu thereof (*Effective*
4449 *January 1, 2015*):

4450 The Commissioner of Administrative Services shall adopt and may
4451 amend, reasonable regulations in accordance with the provisions of
4452 chapter 54, concerning the safe storage, use, transportation by any
4453 mode and transmission by pipeline of flammable or combustible
4454 liquids. Such regulations shall be incorporated into the State Fire
4455 Prevention Code and shall include provisions for the prevention of
4456 damage to property and injury to life, and protection from hazards
4457 incident to the storage, use, transportation by any mode and
4458 transmission by pipeline of such liquids. The commissioner shall
4459 enforce such regulations. Such regulations shall not apply to any
4460 **[**electric company,**]** electric distribution company or gas company, as
4461 such terms are defined in section 16-1, as amended by this act.

4462 Sec. 112. Section 29-329 of the general statutes, as amended by
4463 section 12 of public act 09-177, section 6 of public act 10-54 and sections
4464 3 and 4 of public act 12-60, is repealed and the following is substituted
4465 in lieu thereof (*Effective January 1, 2015*):

4466 (a) The State Fire Marshal shall adopt regulations, in accordance
4467 with the provisions of chapter 54, prescribing reasonable minimum
4468 requirements for the installation and operation of gas equipment and

4469 gas piping. Such regulations shall be incorporated into the State Fire
4470 Prevention Code and shall include provisions for the prevention of
4471 injury to life and damage to property and protection from hazards
4472 incident to the installation and operation of such gas equipment and
4473 piping.

4474 (b) No regulation adopted in accordance with this section shall
4475 apply to any **[**electric company,**]** gas company or electric distribution
4476 company, as such terms are defined in section 16-1, as amended by this
4477 act.

4478 Sec. 113. Section 29-331 of the general statutes is repealed and the
4479 following is substituted in lieu thereof (*Effective from passage*):

4480 The Commissioner of Administrative Services shall make
4481 reasonable regulations concerning the safe storage, use, transportation
4482 by any mode and transmission by pipeline of liquefied petroleum gas.
4483 Regulations concerning safe storage shall specify standards to ensure
4484 maximum security against unauthorized entry into storage areas
4485 where liquefied petroleum gas or liquefied natural gas is stored. In
4486 adopting such regulations, said commissioner may adopt by reference
4487 standards concerning liquefied petroleum gas as set forth by the
4488 National Fire Protection Association for the prevention of damage to
4489 property and injury to life, and protection from hazards incident to the
4490 storage, use, transportation by any mode and transmission by pipeline
4491 of such gas, with particular reference to the design, construction,
4492 location and operation of liquefied petroleum gas installations. Such
4493 regulations shall not apply to **[**electric,**]** electric distribution and gas
4494 companies, as defined in section 16-1, as amended by this act.

4495 Sec. 114. Section 29-331 of the general statutes, as amended by
4496 section 14 of public act 09-177, section 6 of public act 10-54, section 90
4497 of public act 11-51 and sections 3 and 4 of public act 12-60, is repealed
4498 and the following is substituted in lieu thereof (*Effective January 1,*
4499 *2015*):

4500 The Commissioner of Administrative Services shall adopt
4501 reasonable regulations, in accordance with the provisions of chapter
4502 54, concerning the safe storage, use, transportation by any mode and
4503 transmission by pipeline of liquefied petroleum gas. Regulations
4504 concerning safe storage shall specify standards to ensure maximum
4505 security against unauthorized entry into storage areas where liquefied
4506 petroleum gas or liquefied natural gas is stored. Such regulations shall
4507 be incorporated into the State Fire Prevention Code and shall include
4508 provisions for the prevention of damage to property and injury to life,
4509 and protection from hazards incident to the storage, use,
4510 transportation by any mode and transmission by pipeline of such gas,
4511 with particular reference to the design, construction, location and
4512 operation of liquefied petroleum gas installations. Such regulations
4513 shall not apply to any **[**electric company,**]** electric distribution
4514 company or gas company, as such terms are defined in section 16-1<u>, as</u>
4515 <u>amended by this act</u>.

4516 Sec. 115. Section 33-221 of the general statutes is repealed and the
4517 following is substituted in lieu thereof (*Effective from passage*):

4518 A cooperative shall have power, subject to the limitations of section
4519 33-219: (a) To sue and be sued in its corporate name; (b) to have
4520 perpetual existence; (c) to adopt a corporate seal and alter the same; (d)
4521 to generate, manufacture, purchase, acquire, accumulate and transmit
4522 electric energy, and to distribute, sell, supply and dispose of electric
4523 energy to its members, and to other persons not in excess of ten per
4524 cent of the number of its members pursuant to applicable federal law
4525 and regulations adopted thereunder, provided the furnishing by a
4526 cooperative of electric cold storage or processing plant service shall not
4527 be deemed to be distributing, selling, supplying or disposing of electric
4528 energy; (e) to assist persons to whom electric energy is or will be
4529 supplied by the cooperative in wiring their premises and in acquiring
4530 and installing electrical appliances, equipment, fixtures, apparatus and
4531 energy conservation and renewable energy systems and equipment, by
4532 the financing thereof or otherwise, and, in connection therewith, to

4533 wire, or cause to be wired, such premises and to purchase, acquire,
4534 lease as lessor or lessee, sell, distribute, install and repair such electric
4535 appliances, equipment, fixtures, apparatus and energy conservation
4536 and renewable energy systems and equipment; (f) to assist persons to
4537 whom electric energy is or will be supplied by the cooperative in
4538 constructing, equipping, maintaining and operating electric cold
4539 storage or processing plants, by the financing thereof or otherwise; (g)
4540 to construct, purchase, lease as lessee, or otherwise acquire, and to
4541 equip, maintain and operate, and to sell, assign, convey, lease as lessor,
4542 mortgage, pledge or otherwise dispose of or encumber, electric
4543 transmission and distribution lines or systems, electric generating
4544 plants, electric cold storage or processing plants, lands, buildings,
4545 structures, dams, plants and equipment, and any other real property or
4546 tangible or intangible personal property which shall be deemed
4547 necessary, convenient or appropriate to accomplish the purpose stated
4548 in section 33-219; (h) to borrow money and otherwise contract
4549 indebtedness, and to issue notes, bonds and other evidences of
4550 indebtedness, and to secure the payment thereof by mortgage, pledge
4551 or deed of trust of, or any other encumbrance upon, any or all of its
4552 then owned or after-acquired real or personal property, assets,
4553 franchises, revenues or income; (i) to construct, maintain and operate
4554 electric transmission and distribution lines along, upon, under and
4555 across publicly owned lands and public thoroughfares, including,
4556 without limitation, all roads, highways, streets, alleys, bridges and
4557 causeways, subject to the provisions of all laws regulating the use of
4558 highways by electric distribution companies, provided no standards in
4559 excess of standards provided in the National Electric Safety Code shall
4560 be required; (j) to exercise the power of eminent domain in the manner
4561 provided by the general statutes for the exercise of such power by
4562 other corporations constructing or operating electric transmission and
4563 distribution lines or systems; (k) to petition the Public Utilities
4564 Regulatory Authority to issue an order under section 16-243c, as
4565 amended by this act; (l) to conduct its business and exercise its powers
4566 within or without this state; (m) to adopt, amend and repeal bylaws;
4567 and (n) to do and perform any other acts and things, and to have and

4568 exercise any other powers, which may be necessary, convenient or
4569 appropriate to accomplish the purpose for which the cooperative is
4570 organized.

4571 Sec. 116. Subdivision (13) of subsection (a) of section 36a-250 of the
4572 general statutes is repealed and the following is substituted in lieu
4573 thereof (*Effective from passage*):

4574 (13) Act as agent (A) in the collection of taxes for any qualified
4575 treasurer of any taxing district or qualified collector of taxes, or (B) for
4576 any **[**electric,**]** electric distribution, gas, water or telephone company
4577 operating within this state in receiving moneys due that company for
4578 utility services furnished by it;

4579 Sec. 117. Subdivision (14) of subsection (a) of section 36a-455a of the
4580 general statutes is repealed and the following is substituted in lieu
4581 thereof (*Effective from passage*):

4582 (14) Act as agent (A) in the collection of taxes for any qualified
4583 treasurer of any taxing district or qualified collector of taxes, or (B) for
4584 any **[**electric,**]** electric distribution, gas, water or telephone company
4585 operating within this state in receiving moneys due such company for
4586 utility services furnished by it;

4587 Sec. 118. Section 49-4c of the general statutes is repealed and the
4588 following is substituted in lieu thereof (*Effective from passage*):

4589 Any mortgage entered into subsequent to July 1, 1986, between a
4590 private power producer, as defined in section 16-243b, or the owner or
4591 operator of a qualifying facility, as defined in Part 292 of Title 18 of the
4592 Code of Federal Regulations, or a guarantor of any of their respective
4593 obligations, as mortgagor, and an electric distribution company, as
4594 defined in section 16-1, as amended by this act, as mortgagee, shall be
4595 valid to secure all obligations then existing or thereafter arising of the
4596 mortgagor to the mortgagee under an electricity purchase agreement,
4597 including, without limitation, recovery of amounts paid to the private
4598 power producer or the owner or operator of a qualifying facility by the

4599 mortgagee in excess of the mortgagee's avoided costs as defined in
4600 section 16-243a, as amended by this act, and all other damages for
4601 failure to deliver electric energy or capacity or other breach of an
4602 electricity purchase agreement, including, without limitation, the net
4603 replacement cost of the capacity being secured by such mortgage,
4604 together with accrued interest, if any, as computed in accordance with
4605 the terms of the electricity purchase agreement or the mortgage, and
4606 under a guarantee of such obligations or obligations created by the
4607 mortgage, and shall have priority over the rights of others who shall
4608 acquire any rights in the property covered by such mortgage
4609 subsequent to the recording of the mortgage in the land records of the
4610 town in which the mortgaged property is situated provided: (1) The
4611 electricity purchase agreement is substantially in the form approved by
4612 the Public Utilities Regulatory Authority pursuant to section 16-243a,
4613 as amended by this act, and shall have been entered into by the
4614 mortgagor and mortgagee prior to or simultaneously with or
4615 subsequent to the execution and delivery of the mortgage, (2) the
4616 caption to the mortgage shall contain the words "Open-End Mortgage"
4617 and "Electricity Purchase Agreement", (3) the mortgage shall state that
4618 it is entered into to secure the mortgagor's obligations to the mortgagee
4619 under an electricity purchase agreement or under a guarantee of any
4620 electricity purchase agreement obligations and shall recite either the
4621 address of an office of the mortgagee or its assignee in the state at
4622 which a copy of the electricity purchase agreement is on file and may
4623 be inspected by the public during normal business hours or that the
4624 electricity purchase agreement has been recorded, as an exhibit to the
4625 mortgage or otherwise, on or before the date the mortgage is recorded,
4626 in the land records of the town in which the mortgaged property is
4627 situated, provided the electricity purchase agreement shall be so
4628 recorded, (4) the amount of the obligation from time to time secured by
4629 the mortgage may be determined or reasonably approximated on the
4630 basis of records maintained by the mortgagee or its assignee in the
4631 state, which records and an estimate of the amount claimed by the
4632 mortgagee to be secured are made available to the public with
4633 reasonable promptness upon written request, and (5) the mortgage

4634 states the maximum amount which it shall secure. Nothing in this
4635 section shall invalidate any mortgage which would be valid without
4636 this section. For purposes of this section, "electricity purchase
4637 agreement" means a contract or agreement to purchase and sell electric
4638 energy or capacity by and between a private power producer, as
4639 defined in section 16-243b, or the owner or operator of a qualifying
4640 facility, as defined in Part 292 of Title 18 of the Code of Federal
4641 Regulations, and an electric distribution company, as defined in
4642 section 16-1, as amended by this act.

4643 Sec. 119. Section 52-287 of the general statutes is repealed and the
4644 following is substituted in lieu thereof (*Effective from passage*):

4645 The fixtures of every **[**telegraph,**]** telephone or electric **[**light or
4646 power**]** distribution company, or association engaged in distributing
4647 electricity by wires or similar conductors, including its wires, posts,
4648 crossbars, lamps, switchboards, piers and abutments, may be attached
4649 in the same manner and with the same legal effect as real estate in civil
4650 actions, by the officer lodging in the office of the Secretary of the State
4651 a certificate that he has made such attachment, which shall be
4652 endorsed by said secretary with a note of the precise time of its
4653 reception, and kept on file, open to public inspection, in said office.
4654 Such attachment, if completed as hereinafter provided, shall be
4655 considered as made when such certificate is so lodged. The certificate
4656 shall be signed by such officer, shall describe the termini of the line or
4657 lines and the location of the switchboards attached, with reasonable
4658 certainty, and shall specify the parties to the suit, the court to which
4659 the process is returnable and the amount of damages claimed; and
4660 such officer shall, within four days thereafter, leave in the office of said
4661 secretary a certified copy of the process under which the attachment
4662 was made, with an endorsement of his doings thereon; and unless the
4663 service is so completed, the property shall not be held against any
4664 other creditor or bona fide purchaser.

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

4667 thereof (*Effective from passage*):

4668 (k) The authority may order an electric distribution company to
4669 submit a proposal pursuant to the provisions of this section and may
4670 approve such a proposal under this section. Nothing in sections 16-1,
4671 as amended by this act, 16-32f, 16-50i, as amended by this act, 16-50k,
4672 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by this act,
4673 **[**16-244e,**]** 16-245d, 16-245m, as amended by this act, 16-245n, as
4674 amended by this act, and 16-245z and section 21 of public act 05-1 of
4675 the June special session shall limit the authority's ability to conduct
4676 requests for proposals, in addition to that in subsection (c) of this
4677 section, to reduce federally mandated congestion charges and to
4678 approve such proposals or otherwise to meet its responsibility under
4679 this title.

4680 Sec. 121. Subsection (a) of section 16-243p of the 2014 supplement to
4681 the general statutes is repealed and the following is substituted in lieu
4682 thereof (*Effective from passage*):

4683 (a) An electric distribution company may recover its costs and
4684 investments that have been prudently incurred as well as its revenues
4685 lost resulting from the provisions of sections 16-1, as amended by this
4686 act, 16-19ff, as amended by this act, 16-50k, 16-50x, 16-243h to 16-243q,
4687 inclusive, 16-244c, as amended by this act, **[**16-244e,**]** 16-244u, as
4688 amended by this act, 16-245d, 16-245m, as amended by this act, 16-
4689 245n, as amended by this act, 16-245z and 16-262i, as amended by this
4690 act, and section 21 of public act 05-1 of the June special session. The
4691 Public Utilities Regulatory Authority shall, after a hearing held
4692 pursuant to the provisions of chapter 54, determine the appropriate
4693 mechanism to obtain such recovery in a timely manner which
4694 mechanism may be one or more of the following: (1) Approval of rates
4695 as provided in sections 16-19, as amended by this act, and 16-19e, as
4696 amended by this act; (2) the energy adjustment clause as provided in
4697 section 16-19b, as amended by this act; or (3) the federally mandated
4698 congestion charges, as defined in section 16-1, as amended by this act.

4699 Sec. 122. Section 16-243r of the 2014 supplement to the general
4700 statutes is repealed and the following is substituted in lieu thereof
4701 (*Effective from passage*):

4702 The provisions of sections 7-233y, 16-1, as amended by this act, 16-
4703 32f, 16-50i, as amended by this act, 16-50k, 16-50x, 16-243i to 16-243q,
4704 inclusive, 16-244c, as amended by this act, **[**16-244e,**]** 16-245d, 16-245m,
4705 as amended by this act, 16-245n, as amended by this act, 16-245z and
4706 16-262i, as amended by this act, and section 21 of public act 05-1 of the
4707 June special session apply to new customer-side distributed resources
4708 and grid-side distributed resources developed in this state that add
4709 electric capacity on and after January 1, 2006, and shall also apply to
4710 customer-side distributed resources and grid-side distributed
4711 resources developed in this state before January 1, 2007, that (1) have
4712 undergone upgrades that increase the resource's thermal efficiency
4713 operating level by no fewer than ten percentage points or, for
4714 resources that have a thermal efficiency level of at least seventy per
4715 cent, have undergone upgrades that increase the resource's turbine
4716 heat rate by no fewer than five percentage points and increase the
4717 electrical output of the resource by no fewer than ten percentage
4718 points, (2) operate at a thermal efficiency level of at least fifty per cent,
4719 and (3) add electric capacity in this state on or after January 1, 2007,
4720 provided such measure is in accordance with the provisions of said
4721 sections 7-233y, 16-1, as amended by this act, 16-32f, 16-50i, as
4722 amended by this act, 16-50k, 16-50x, 16-243i to 16-243q, inclusive, 16-
4723 244c, as amended by this act, **[**16-244e,**]** 16-245d, 16-245m, as amended
4724 by this act, 16-245n, as amended by this act, 16-245z and 16-262i, as
4725 amended by this act, and section 21 of public act 05-1 of the June
4726 special session. On or before January 1, 2009, the Public Utilities
4727 Regulatory Authority, in consultation with the Office of Consumer
4728 Counsel, shall report to the joint standing committee of the General
4729 Assembly having cognizance of matters relating to energy regarding
4730 the cost-effectiveness of programs pursuant to this section.

4731 Sec. 123. Subsection (a) of section 16-244v of the 2014 supplement to

4732 the general statutes is repealed and the following is substituted in lieu
4733 thereof (*Effective from passage*):

4734 (a) **[**Notwithstanding subsection (a) of section 16-244e, an**]** An
4735 electric distribution company, or owner or developer of generation
4736 projects that emit no pollutants, may submit a proposal to the
4737 Department of Energy and Environmental Protection to build, own or
4738 operate one or more generation facilities up to an aggregate of thirty
4739 megawatts using Class I renewable energy sources as defined in
4740 section 16-1, as amended by this act, from July 1, 2011, to July 1, 2013.
4741 Each facility shall be greater than one megawatt but not more than five
4742 megawatts. Each electric distribution company may enter into joint
4743 ownership agreements, partnerships or other agreements with private
4744 developers to carry out the provisions of this section. The aggregate
4745 ownership for an electric distribution company pursuant to this section
4746 shall not exceed ten megawatts. The department shall evaluate such
4747 proposals pursuant to sections 16-19, as amended by this act, and 16-
4748 19e, as amended by this act, and may approve one or more of such
4749 proposals if it finds that the proposal serves the long-term interest of
4750 ratepayers. The department (1) shall not approve any proposal
4751 supported in any form of cross subsidization by entities affiliated with
4752 the electric distribution company, and (2) shall give preference to
4753 proposals that make efficient use of existing sites and supply
4754 infrastructure. No such company may, under any circumstances,
4755 recover more than the full costs identified in a proposal, as approved
4756 by the department. Nothing in this section shall preclude the resale or
4757 other disposition of energy or associated renewable energy credits
4758 purchased by the electric distribution company, provided the
4759 distribution company shall net the cost of payments made to projects
4760 under the long-term contracts against the proceeds of the sale of
4761 energy or renewable energy credits and the difference shall be credited
4762 or charged to distribution customers through a reconciling component
4763 of electric rates as determined by the authority that is nonbypassable
4764 when switching electric suppliers.

4765 Sec. 124. Section 16-43d of the general statutes is repealed and the
4766 following is substituted in lieu thereof (*Effective from passage*):

4767 If any existing electric generation plant within the state is offered for
4768 sale, the Public Utilities Regulatory Authority shall authorize the
4769 electric distribution companies to purchase and operate such plants if
4770 the authority, through a contested case proceeding, determines that
4771 such purchase and operation is in the public interest, provided any
4772 acquisition plan shall include provisions for payment of property taxes
4773 on the value of the purchased plant and provisions for employee
4774 protections. **[**consistent with subdivision (3) of subsection (b) of section
4775 16-244f.**]** An electric distribution company purchasing such generation
4776 plants shall be entitled to recover the costs of such purchase in an
4777 annual retail generation rate contested case consistent with the
4778 principles set forth in sections 16-19, 16-19b and 16-19e, as amended by
4779 this act, provided the return on equity associated with such purchase
4780 and operation shall be established in said contested case proceeding
4781 and updated at least once every four years. The authority shall review
4782 and approve the cost recovery provisions in the proceeding to
4783 determine that such purchase and operation are in the public interest.

4784 Sec. 125. Subsection (d) of section 16-19ww of the 2014 supplement
4785 to the general statutes is repealed and the following is substituted in
4786 lieu thereof (*Effective from passage*):

4787 (d) In reviewing the natural gas infrastructure expansion plan
4788 pursuant to subsection (c) of this section, in order to protect the
4789 interests of ratepayers and ensure revenue recovery for gas companies,
4790 and consistent with the recommendations of the Comprehensive
4791 Energy Strategy, the authority shall, in accordance with section 16-
4792 19oo, (1) establish a hurdle rate utilizing a twenty-five-year payback
4793 period to compare the revenue requirement of connecting new
4794 customers to the gas distribution system to determine the level of new
4795 business capital expenditures that will be recoverable through rates,
4796 after taking into consideration any nonfirm margin credits pursuant to
4797 subparagraph (B) of subdivision (4) of this subsection that will offset

4798 the expansion costs of the gas companies, provided the authority shall
4799 develop a methodology that reasonably accounts for revenues that
4800 would be collected from new customers who signaled an intention to
4801 switch to natural gas over a period of at least three years within a
4802 common geographic location, (2) establish a new rate for new
4803 customers added pursuant to the natural gas infrastructure expansion
4804 plan to offset incremental costs of expanding natural gas infrastructure
4805 pursuant to such plan, (3) establish a rate mechanism for the gas
4806 companies to recover prudent investments made pursuant to the
4807 approved natural gas infrastructure expansion plan in a timely manner
4808 outside of a rate proceeding, provided such mechanism shall take into
4809 consideration the additional revenues that the gas companies will
4810 generate through implementation of such plan, and (4)
4811 notwithstanding the provisions of section 16-19b, effective for the
4812 period of the natural gas expansion plan, (A) assign at least half of the
4813 nonfirm margin credit to **[**offset the rate base**]** be credited to all
4814 ratepayers of the gas companies, and (B) assign the lesser of (i) an
4815 amount equal to half of the nonfirm margin credit, or (ii) an amount
4816 equal to fifteen million dollars from the nonfirm margin credit
4817 annually for all gas companies in the aggregate, apportioned to each
4818 gas company in proportion to revenues of **[**and the existing and**]** new
4819 capacity contracted for by each gas company, to offset expansion costs,
4820 including, but not limited to, the costs of adding new state, municipal,
4821 residential, commercial and industrial customers where such additions
4822 provide societal benefits, including, but not limited to, increased or
4823 retained employment, local economic development, environmental
4824 benefits and transit-oriented development goals.

4825 Sec. 126. Section 25-157 of the general statutes is repealed and the
4826 following is substituted in lieu thereof (*Effective from passage*):

4827 Notwithstanding any other provision of the general statutes, no
4828 state agency, including, but not limited to, the Department of Energy
4829 and Environmental Protection and the Connecticut Siting Council
4830 within said department, shall consider or render a final decision for

4831 any applications relating to electric power line crossings, gas pipeline
4832 crossings or telecommunications crossings of Long Island Sound that
4833 have required or will require a certificate issued pursuant to section
4834 16-50k or approval by the Federal Energy Regulatory Commission
4835 including, but not limited to, electrical power line, gas pipeline or
4836 telecommunications applications that are pending or received after
4837 June 3, 2002, for a period of three years after June 3, 2002. Such
4838 moratorium shall not apply to applications relating solely to the
4839 maintenance, repair or replacement necessary for repair of electrical
4840 power lines, gas pipelines or telecommunications facilities currently
4841 used to provide service to customers located on islands or peninsulas
4842 off the Connecticut coast or harbors, embayments, tidal rivers, streams
4843 or creeks. An applicant may seek a waiver of such moratorium by
4844 submitting a petition to the following: The chairpersons and ranking
4845 members of the joint standing committees of the General Assembly
4846 having cognizance of matters relating to energy and the environment,
4847 the chairman of the Connecticut Siting Council, the Commissioner of
4848 Energy and Environmental Protection, and any other state agency
4849 head with jurisdiction over the subject of the petition. Such persons
4850 may grant a petition for a waiver by unanimous consent. Nothing in
4851 **[**section 16-244j,**]** this section or sections 25-157a to 25-157c, inclusive,
4852 as amended by this act, shall be construed to affect the project in the
4853 corridor across Long Island Sound, from Norwalk to Northport, New
4854 York, to replace the existing electric cables that cross the sound.

4855 Sec. 127. Section 25-157c of the general statutes is repealed and the
4856 following is substituted in lieu thereof (*Effective from passage*):

4857 Notwithstanding any provision of the general statutes, the
4858 Connecticut Siting Council, within fifteen days of June 3, 2002, shall
4859 submit the state's advisory opinion to the Federal Energy Regulatory
4860 Commission requesting that, on behalf of the state, the Federal Energy
4861 Regulatory Commission not approve any new individual electric
4862 power line crossing, gas pipeline crossing or telecommunications
4863 crossing until the comprehensive environmental assessment and plan

4864 described in section 25-157a is completed and that the Federal Energy
4865 Regulatory Commission avoid environmental damage to Long Island
4866 Sound to the greatest extent possible when licensing any future project
4867 by considering the recommendations contained in the comprehensive
4868 environmental assessment and plan described in section 25-157a.
4869 Notwithstanding the provisions of sections **[**16-244j and**]** 25-157 to 25-
4870 157b, inclusive, as amended by this act, and this section, if the Federal
4871 Energy Regulatory Commission proceeds with consideration of any
4872 such project, regardless of the Siting Council's request, the Connecticut
4873 Siting Council and any other state agency with jurisdiction over such
4874 project shall review such proposed project and recommend siting,
4875 construction procedures and environmental mitigation measures to the
4876 Federal Energy Regulatory Commission for such project that conform
4877 with the comprehensive environmental assessment and plan described
4878 in section 25-157a, to the degree such assessment and plan information
4879 is available.

4880 Sec. 128. Section 16-228 of the 2014 supplement to the general
4881 statutes is repealed and the following is substituted in lieu thereof
4882 (*Effective from passage*):

4883 Subject to the restrictions of sections 16-18 **[**,**]** and 16-248, **[**16-249
4884 and 16-250,**]** each telephone company may construct and maintain
4885 telephone lines, upon any highway or across any waters in this state,
4886 by the erection and maintenance of the necessary fixtures, including
4887 posts, piers or abutments, for sustaining wires; but the same shall not
4888 be so constructed as to incommode public travel or navigation or
4889 injure any tree without the consent of the owner, nor shall such
4890 company construct any bridge across any waters. Such lines shall be
4891 personal property.

4892 Sec. 129. Subsection (a) of section 16-247c of the general statutes is
4893 repealed and the following is substituted in lieu thereof (*Effective from*
4894 *passage*):

4895 (a) No person shall provide intrastate telecommunications services,

4896 except for private telecommunications service, commercial mobile
4897 telecommunications service to the extent regulated by the federal
4898 government and any service authorized under **[**section 16-250a or**]** a
4899 joint or shared user tariff approved by the Public Utilities Regulatory
4900 Authority, unless the person (1) offered, promoted and provided
4901 intrastate telecommunications services on or before January 1, 1984,
4902 pursuant to a special charter or certificate of public convenience and
4903 necessity, or (2) is certified to provide intrastate telecommunications
4904 services by the Public Utilities Regulatory Authority pursuant to
4905 sections 16-247f to 16-247h, inclusive.

4906 Sec. 130. Subsection (b) of section 4a-1a of the 2014 supplement to
4907 the general statutes is repealed and the following is substituted in lieu
4908 thereof (*Effective from passage*):

4909 (b) (1) Wherever the term "Commissioner of Construction Services"
4910 is used in the following sections of the general statutes, the term
4911 "Commissioner of Administrative Services" shall be substituted in lieu
4912 thereof; and (2) wherever the term "Department of Construction
4913 Services" is used in the following sections of the general statutes, the
4914 term "Department of Administrative Services" shall be substituted in
4915 lieu thereof: 3-20, 3-21d, 4-61, 4-89, 4b-1, 4b-1a, 4b-16, 4b-22a, 4b-24b,
4916 4b-51, 4b-51a, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-60, 4b-63, 4b-70, 4b-
4917 91, 4b-100, 4b-100a, 4b-102, 4b-103, 4b-133, 4b-134, 5-198, 7-323p, 10-
4918 220, 10-282, 10-283, 10-283b, 10-284, 10-285d, 10-285e, 10-285g, 10-286,
4919 10-286d, 10-286e, 10-286g, 10-286h, 10-287, 10-287c, 10-287d, 10-287i,
4920 10-289h, 10-290a, 10-290b, 10-290e, 10-290f, 10-291, 10-291a, 10-292q,
4921 10a-90, 10a-91, 10a-91c, 10a-91d, 10a-109ff, 13b-20n, 15-120qq, **[**16a-
4922 37v,**]** 16a-38, 16a-38a, 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38k, 16a-
4923 38*l*, 16a-39, 17a-27, 17a-27d, 17a-154, 17a-451b, 17b-739, 20-330, 21a-86f,
4924 22-64, 22a-6, 22a-12, 22a-439a, 22a-459, 26-3, 27-45, 27-131, 29-109, 29-
4925 117, 29-127, 29-191, 29-192, 29-199, 29-200, 29-204, 29-221, 29-222, 29-
4926 224b, 29-234, 29-235, 29-236, 29-237, 29-238, 29-239, 29-240, 29-244, 29-
4927 250, 29-251, 29-251a, 29-251b, 29-251c, 29-252, 29-252a, 29-254b, 29-256,
4928 29-256a, 29-256b, 29-258, 29-261, 29-262, 29-262a, 29-263, 29-269a, 29-

4929 291, 29-298a, 29-313, 29-315, 29-315c, 29-317, as amended by this act,
4930 29-319, 29-320, as amended by this act, 29-321, 29-325, 29-331, as
4931 amended by this act, 29-333, 29-337, 29-338, 29-344, 29-345, 29-346, 29-
4932 349, 29-355, 29-359, 29-367, 29-401, 29-402, 29-403, 31-57, 32-612, 32-613,
4933 32-655a, 32-656 and 49-41b.

4934 Sec. 131. Subdivision (2) of subsection (a) of section 16-245m and
4935 sections 16-243s, 16-244f, 16-244j, 16-245v, 16-246a, 16-247o, 16-249 to
4936 16-250a, inclusive, 16-258c and 16-281a of the general statutes are
4937 repealed. (*Effective from passage*)"

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

Sec. 26	*from passage*	8-194
Sec. 27	*from passage*	8-395(a)
Sec. 28	*from passage*	12-80
Sec. 29	*from passage*	13a-127
Sec. 30	*from passage*	16-32
Sec. 31	*from passage*	16-237
Sec. 32	*from passage*	16-238
Sec. 33	*from passage*	16-345(c)
Sec. 34	*from passage*	22a-470
Sec. 35	*from passage*	29-19(a)
Sec. 36	*from passage*	31-16
Sec. 37	*from passage*	32-224(g)
Sec. 38	*from passage*	33-645(b)
Sec. 39	*from passage*	33-920(a)
Sec. 40	*from passage*	33-1035(b)
Sec. 41	*from passage*	33-1210(a)
Sec. 42	*from passage*	34-119(d)
Sec. 43	*from passage*	52-380b
Sec. 44	*from passage*	8-37jj(b)
Sec. 45	*from passage*	9-601a(b)(13)
Sec. 46	*from passage*	12-213(a)(20)(A)
Sec. 47	*from passage*	12-265(b)
Sec. 48	*from passage*	16-8(b)(4)
Sec. 49	*from passage*	16-11a(a)
Sec. 50	*from passage*	16-19(a)
Sec. 51	*from passage*	16-19a
Sec. 52	*from passage*	16-19b(c)
Sec. 53	*from passage*	16-19b(e)
Sec. 54	*from passage*	16-19b(j) to (l)
Sec. 55	*from passage*	16-19d(b)
Sec. 56	*from passage*	16-19d(f)
Sec. 57	*from passage*	16-19e(b) to (d)
Sec. 58	*from passage*	16-19bb
Sec. 59	*from passage*	16-19ee
Sec. 60	*from passage*	16-19ff(a)
Sec. 61	*from passage*	16-19hh(b)
Sec. 62	*from passage*	16-19kk(a) and (b)
Sec. 63	*from passage*	16-19oo
Sec. 64	*from passage*	16-19rr
Sec. 65	*from passage*	16-19uu

Sec. 66	*from passage*	16-32c(a)
Sec. 67	*from passage*	16-32g
Sec. 68	*from passage*	16-32h(d)(7)
Sec. 69	*from passage*	16-47
Sec. 70	*from passage*	16-50i(f)
Sec. 71	*from passage*	16-50l(b)
Sec. 72	*from passage*	16-232
Sec. 73	*from passage*	16-234(a)
Sec. 74	*from passage*	16-243a(f)
Sec. 75	*from passage*	16-243c
Sec. 76	*from passage*	16-243e
Sec. 77	*from passage*	16-243g
Sec. 78	*from passage*	16-243z
Sec. 79	*January 1, 2015*	16-243z
Sec. 80	*from passage*	16-243aa
Sec. 81	*from passage*	16-244e
Sec. 82	*from passage*	16-244g(a)
Sec. 83	*from passage*	16-244h(b)
Sec. 84	*from passage*	16-245e
Sec. 85	*from passage*	16-245f(a)
Sec. 86	*from passage*	16-245g
Sec. 87	*from passage*	16-245h
Sec. 88	*from passage*	16-245i(a) and (b)
Sec. 89	*from passage*	16-245j(a) to (c)
Sec. 90	*from passage*	16-245k
Sec. 91	*from passage*	16-245o(a) to (d)
Sec. 92	*from passage*	16-245p(a)
Sec. 93	*from passage*	16-245y(a)
Sec. 94	*from passage*	16-245ii
Sec. 95	*from passage*	16-245jj
Sec. 96	*from passage*	16-246e(a)
Sec. 97	*from passage*	16-246f
Sec. 98	*from passage*	16-259a(a) to (c)
Sec. 99	*from passage*	16-261
Sec. 100	*from passage*	16-262c
Sec. 101	*from passage*	16-262d(a)
Sec. 102	*from passage*	16-262e(a)
Sec. 103	*from passage*	16-262f(a)
Sec. 104	*from passage*	16-262i(b)
Sec. 105	*from passage*	16a-37f

Sec. 106	*from passage*	16a-40b(e) and (f)
Sec. 107	*from passage*	16a-41h
Sec. 108	*from passage*	22a-66k
Sec. 109	*January 1, 2015*	29-317
Sec. 110	*from passage*	29-320
Sec. 111	*January 1, 2015*	29-230
Sec. 112	*January 1, 2015*	29-329
Sec. 113	*from passage*	29-331
Sec. 114	*January 1, 2015*	29-331
Sec. 115	*from passage*	33-221
Sec. 116	*from passage*	36a-250(a)(13)
Sec. 117	*from passage*	36a-455a(a)(14)
Sec. 118	*from passage*	49-4c
Sec. 119	*from passage*	52-287
Sec. 120	*from passage*	16-243m(k)
Sec. 121	*from passage*	16-243p(a)
Sec. 122	*from passage*	16-243r
Sec. 123	*from passage*	16-244v(a)
Sec. 124	*from passage*	16-43d
Sec. 125	*from passage*	16-19ww(d)
Sec. 126	*from passage*	25-157
Sec. 127	*from passage*	25-157c
Sec. 128	*from passage*	16-228
Sec. 129	*from passage*	16-247c(a)
Sec. 130	*from passage*	4a-1a(b)
Sec. 131	*from passage*	Repealer section