



House Bill No. 6807

Public Act No. 15-12

AN ACT CONCERNING TECHNICAL REVISIONS TO ENERGY AND TECHNOLOGY STATUTES.

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

Section 1. Section 8-194 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

As used in this section, "public service facility" includes any sewer, pipe, main, conduit, cable, wire, pole, tower, building or utility appliance owned or operated by an electric distribution, gas, telephone or water company. Whenever a development agency determines that the closing of any street or public right-of-way is provided for in a development plan adopted and approved in accordance with this chapter, or where the carrying out of such a development plan, including the construction of new improvements, requires the temporary or permanent readjustment, relocation or removal of a public service facility from a street or public right-of-way, the agency shall issue an appropriate order to the company owning or operating such facility, and such company shall permanently or temporarily readjust, relocate or remove the same promptly in accordance with such order, provided an equitable share of the cost of such readjustment, relocation or removal, including the cost of installing and constructing a facility of equal capacity in a new location, shall be

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borne by the development agency. Such equitable share shall be fifty per cent of such cost after the deduction hereinafter provided. In establishing the equitable share of the cost to be borne by the development agency, there shall be deducted from the cost of the readjusted, relocated or removed facilities a sum based on a consideration of the value of materials salvaged from existing installations, the cost of the original installation, the life expectancy of the original facility and the unexpired term of such life use. For the purposes of determining the equitable share of the cost of such readjustment, relocation or removal, the books and records of the company shall be available for the inspection of the development agency. When any facility is removed from a street or public right-of-way to a private right-of-way, the development agency shall not pay for such private right-of-way. If the development agency and the company owning or operating such facility cannot agree upon the share of the cost to be borne by the development agency, either may apply to the superior court for the judicial district within which the street or public right-of-way is situated, or, if the court is not in session, to any judge thereof, for a determination of the cost to be borne by the development agency, and such court or such judge, after causing notice of the pendency of such application to be given to the other party, shall appoint a state referee to make such determination. Such referee, having given at least ten days' notice [] to the parties interested [] of the time and place of the hearing, shall hear both parties, shall take such testimony as such referee may deem material and shall thereupon determine the amount of the cost to be borne by the development agency and forthwith report to the court. If the report is accepted by the court, such determination shall, subject to right of appeal as in civil actions, be conclusive upon such parties.

Sec. 2. Subdivision (2) of subsection (b) of section 16-244d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

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(2) On or before July 1, 2017, and every two years thereafter, the authority shall review the rate board Internet web site and [to] make any improvements to ensure such Internet web site remains a progressive tool for customers to compare pricing policies and charges among electric suppliers.

Sec. 3. Section 16-345 of the general statutes, as amended by section 38 of public act 14-94, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

As used in this chapter:

(1) "Person" means an individual, partnership, corporation, limited liability company or association, including a person engaged as a contractor by a public agency but excluding a public agency.

(2) "Public agency" means the state or any political subdivision thereof, including any governmental agency.

(3) "Public utility" means the owner or operator of underground facilities for furnishing electric, gas, telephone, [telegraph,] communications, pipeline, sewage, water, community television antenna, steam, traffic signal, fire signal or similar service, including a municipal or other public owner or operator. A public utility does not include the owner of facilities for utility service solely for such owner's private residence.

(4) "Central clearinghouse" means the organization organized and operated by public utilities pursuant to section 16-348 for the purposes of receiving and giving notice of excavation, discharge of explosives and demolition activity within the state.

(5) "Excavation" means an operation for the purposes of movement or removal of earth, rock or other materials in or on the ground, or otherwise disturbing the subsurface of the earth, by the use of

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powered or mechanized equipment, including but not limited to digging, blasting, auguring, back filling, test boring, drilling, pile driving, grading, plowing-in, hammering, pulling-in, trenching, tunneling, dredging, reclamation processes and milling; excluding the tilling of soil for agricultural purposes. For the purposes of this subdivision, dredging does not include dredging associated with the production and harvesting of aquaculture crops.

(6) "Demolition" means the wrecking, razing, rending, moving or removing of any structure.

(7) "Damage" includes, but is not limited to, the substantial weakening of structural or lateral support of a utility facility such that the continued integrity of such utility facility is imperiled, penetration or destruction of any utility facility protective coating, housing or other protective device or the severance, partial or complete, of any utility facility.

(8) "Approximate location of an underground utility facility" means a strip of land not more than three feet wide centered on the actual location of an underground utility facility or a strip of land extending not more than one and one-half feet on either side of the actual location of an underground utility facility.

Sec. 4. Subdivision (1) of subsection (a) of section 16a-41h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) (1) Each electric distribution company, gas company and municipal utility furnishing electric or gas service [] shall include in its monthly bills a request to each customer to add a donation in an amount designated by the customer to the bill payment. Such company shall provide to all of its customers the opportunity to donate one dollar, two dollars, three dollars or another amount on

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each bill provided to a customer either through the mail or electronically. Such designation shall be made available and included where customers are either electronically billed or bill payment is handled electronically. The opportunity to donate one dollar, two dollars, three dollars or another amount shall be included on the bill in such a way that facilitates such donations.

Approved May 26, 2015