



General Assembly

January Session, 2015

Raised Bill No. 6807

LCO No. 3457



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING TECHNICAL REVISIONS TO ENERGY AND TECHNOLOGY STATUTES.

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

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 Section 8-194 of the general statutes is repealed and the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

3 As used in this section, "public service facility" includes any sewer,
4 pipe, main, conduit, cable, wire, pole, tower, building or utility
5 appliance owned or operated by an electric distribution, gas, telephone
6 or water company. Whenever a development agency determines that
7 the closing of any street or public right-of-way is provided for in a
8 development plan adopted and approved in accordance with this
9 chapter, or where the carrying out of such a development plan,
10 including the construction of new improvements, requires the
11 temporary or permanent readjustment, relocation or removal of a
12 public service facility from a street or public right-of-way, the agency
13 shall issue an appropriate order to the company owning or operating
14 such facility, and such company shall permanently or temporarily
15 readjust, relocate or remove the same promptly in accordance with

16 such order, provided an equitable share of the cost of such
17 readjustment, relocation or removal, including the cost of installing
18 and constructing a facility of equal capacity in a new location, shall be
19 borne by the development agency. Such equitable share shall be fifty
20 per cent of such cost after the deduction hereinafter provided. In
21 establishing the equitable share of the cost to be borne by the
22 development agency, there shall be deducted from the cost of the
23 readjusted, relocated or removed facilities a sum based on a
24 consideration of the value of materials salvaged from existing
25 installations, the cost of the original installation, the life expectancy of
26 the original facility and the unexpired term of such life use. For the
27 purposes of determining the equitable share of the cost of such
28 readjustment, relocation or removal, the books and records of the
29 company shall be available for the inspection of the development
30 agency. When any facility is removed from a street or public right-of-
31 way to a private right-of-way, the development agency shall not pay
32 for such private right-of-way. If the development agency and the
33 company owning or operating such facility cannot agree upon the
34 share of the cost to be borne by the development agency, either may
35 apply to the superior court for the judicial district within which the
36 street or public right-of-way is situated, or, if the court is not in session,
37 to any judge thereof, for a determination of the cost to be borne by the
38 development agency, and such court or such judge, after causing
39 notice of the pendency of such application to be given to the other
40 party, shall appoint a state referee to make such determination. Such
41 referee, having given at least ten days' notice [,] to the parties
42 interested [,] of the time and place of the hearing, shall hear both
43 parties, shall take such testimony as such referee may deem material
44 and shall thereupon determine the amount of the cost to be borne by
45 the development agency and forthwith report to the court. If the report
46 is accepted by the court, such determination shall, subject to right of
47 appeal as in civil actions, be conclusive upon such parties.

48 Sec. 2. Subdivision (2) of subsection (b) of section 16-244d of the

49 general statutes is repealed and the following is substituted in lieu
50 thereof (*Effective October 1, 2015*):

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

56 Sec. 3. Section 16-345 of the general statutes, as amended by section
57 38 of public act 14-94, is repealed and the following is substituted in
58 lieu thereof (*Effective October 1, 2015*):

59 As used in this chapter:

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

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

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

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

76 (5) "Excavation" means an operation for the purposes of movement
77 or removal of earth, rock or other materials in or on the ground, or

78 otherwise disturbing the subsurface of the earth, by the use of
79 powered or mechanized equipment, including but not limited to
80 digging, blasting, auguring, back filling, test boring, drilling, pile
81 driving, grading, plowing-in, hammering, pulling-in, trenching,
82 tunneling, dredging, reclamation processes and milling; excluding the
83 tilling of soil for agricultural purposes. For the purposes of this
84 subdivision, dredging does not include dredging associated with the
85 production and harvesting of aquaculture crops.

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

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

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

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

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

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

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2015</i> | 8-194 |
| Sec. 2 | <i>October 1, 2015</i> | 16-244d(b)(2) |
| Sec. 3 | <i>October 1, 2015</i> | 16-345 |
| Sec. 4 | <i>October 1, 2015</i> | 16a-41h(a)(1) |

Statement of Purpose:

To make technical corrections to statutory provisions concerning energy and technology.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]